

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12220 of 2023

Arising Out of PS. Case No.-511 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

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Madan Kumar S/O Satendra Singh @ Sacho Singh Resident Of Village-
Deodha, P.S.- Deepnagar, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lal Babu Singh

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Laheri P.S.
Case No. 511 of 2022 registered for the offences punishable
under Sections 365, 34, 342, 386, 387 and, 120(B) of the Indian
Penal Code pending in the Court of learned Judicial Magistrate,
Bihar Sharif, Nalanda.

As per the prosecution case, allegation against the
petitioner is that he along with other co-accused kidnapped
Surya Bhushan.

Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.



He submits that the petitioner has been made accused in the present case on the basis of confessional statement of the co-accused. The petitioner has no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is also involved in the present case and the victim in his statement under Section 164 of the Cr.P.C., has supported the prosecution case. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the statement of victim under Section 164 of the Cr.P.C., I am not inclined to enlarge the petitioner on anticipatory bail.

The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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