

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11723 of 2023

Arising Out of PS. Case No.-294 Year-2022 Thana- PANDAUL District- Madhubani

1. MANAS YADAV S/O SURESH YADAV Resident of Village- Pilakhawan, P.S.- Raj Nagar, District- Madhubani.
2. MITHILESH YADAV S/O RAM KUMAR YADAV Resident of Village- Pilakhawan, P.S.- Raj Nagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-05-2023 Heard the parties.

The petitioners apprehend their arrest in connection with Pandaul P.S. Case No.294 of 2022, registered for the offence punishable under Section 364, 365/34 of the Indian Penal Code.

The allegation against the petitioners is that they are involved in the kidnapping of the son of the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act



against the petitioners. The name of the petitioners transpired in the present case merely on the basis of confessional statement of apprehended co-accused. Petitioner no.1 has no criminal antecedent and petitioner no.2 has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the victim has supported the prosecution case in his statement recorded u/s 164 of Cr.PC.

Having regard to the facts and circumstances of the case as well as considering the statement of victim u/s 164 of Cr.PC, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

Accordingly, this application is dismissed.

However, if the petitioners surrender before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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