

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22087 of 2022

Arising Out of PS. Case No.-193 Year-2020 Thana- BARGAINIA District- Sitamarhi

ANIL KUMAR S/o Bachchelal Sahni, Resident of Village- Piprahi Sultan,
Ward No.3, P.S.- Bairganja, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 09-01-2023 No one appears for the petitioner. Learned A.P.P. for the
State is present.

The petitioner has preferred this application for grant of regular bail in a case registered under section 365 of the Indian Penal Code to which sections 302, 364, 364A, 506 and 34 of the Indian Penal Code was added subsequently.

As per the prosecution case, the son of the informant was kidnapped for which the F.I.R was registered against unknown.

From the contents of the petition it transpires that the case of the petitioner is that the F.I.R was registered against unknown. He has been falsely implicated in the case only on the basis of suspicion. There is an inordinate delay of three days in lodging of the F.I.R. The police arrested the petitioner only on the



basis of his mobile location. Signature of the petitioner was obtained by the police under threat and coercion and the same was converted into a confessional statement. Further co-accused Sunny Kumar Yadav, Md. Azharuddin Ansari and Sunil Kumar Yadav have all been enlarged on bail vide orders contained in Annexure-2 series. The petitioner is in custody since 5.12.2020, charge-sheet has been submitted in the case and he has no criminal antecedent.

Heard learned A.P.P. for the State.

Having perused the material on record as also the contents of the case diary, it transpires that it was on the basis of the confessional statement of this petitioner that the dead body of the deceased as well as the motorcycle was recovered. Further in course of investigation, as per the mobile location also the petitioner was found to be near about the place of occurrence. Thus in the facts of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The petitioner may renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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