

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28278 of 2023

Arising Out of PS. Case No.-529 Year-2022 Thana- SAKRA District- Muzaffarpur

MANISH KUMAR SON OF MOHAN PASWAN R/O VILLAGE-
MATHURAPUR MUKUND, P.S.- SAKRA, DISTRICT- MUZAFFARPUR
... .. Petitioner/s

Versus

THE STATE OF BIHAR
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The statement of the victim which was contained in a
sealed envelope opened in the open Court.

3. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 363, 364, 366
of the Indian Penal Code pending in the learned court below.

4. The prosecution case is that the wife of the informant
along with her infant daughter, namely, Divya, had gone to Dubaha
to meet a doctor b an auto but she did not return and the informant
made ahead search at all possible places but could not find any
trace of his wife and daughter.

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.
He further submits that the petitioner has no criminal antecedent, as



stated at para 3 of the bail petition. Learned counsel for the petitioner further submits that in the statement of the victim, the name of the petitioner was kept disclosed by the victim but he stated that the two persons has taken including the petitioner for previous enmity. Learned counsel for the petitioner further submits that there is general and omnibus allegation against the petitioner. Learned counsel for the petitioner further submits that the F.I.R. is lodged after delay of 4 days. There is no explanation for delay in filing of the present F.I.R.

6. Learned APP for the State opposes for prayer for bail.

7. Considering the nature of offence, I am not inclined to grant anticipatory bail to the petitioner. Therefore, the prayer for anticipatory bail of this petitioner is rejected.

8. However, if the petitioner surrenders before the Court below, the Court below shall pass order on the same day without being prejudiced the order passed by this Court.

9. The statement of the victim now be kept on record.

(Anjani Kumar Sharan, J)

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