

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32345 of 2023

Arising Out of PS. Case No.-446 Year-2022 Thana- RAJAON District- Banka

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BABLOO KAPRI @ BABLU YADAV @ BABLU KAPRI SON OF
NARAYAN KAPRI R/O VILLAGE- JHITKA, P.S.- RAJAUN, DISTRICT-
BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Shantanu Kumar, APP

For the Informant : Mr.Satish Chandra Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner, learned counsel

for the informant and learned APP for the State.

2. Petitioner apprehends his arrest in connection with
Rajaun P.S. Case No.446/2022, registered for the offence
punishable u/s 341, 323, 364, 504, 506/34 of the IPC and later
on section 302, 120B of the IPC.

3. As per the prosecution case, the F.I.R. named accused
persons including the petitioner kidnapped the informant's son
and his brother's son and took them in '*Bariyar*' and brutally
assaulted them with intention to kill.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no eye-witness to the alleged occurrence and only on suspicion, petitioner has been made accused in this case. There is admitted land dispute between the parties and no material has come against the petitioner during investigation. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that one Rohit Kumar, who is said to be the eye-witness of the alleged occurrence has stated before the police that the petitioner and other co-accused are involved in the occurrence.

6. Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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