

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58069 of 2022

Arising Out of PS. Case No.-249 Year-2021 Thana- BIHTA District- Patna

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Saurabh Prakash @ Saurabh Kumar Son of Vinod Kumar R/V- Makhdumpur,
P.S- Bihta (Neora) Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chhaya Kirti, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 15-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bihta (Neora) P.S. Case No. 249 of 2021 lodged under Sections
363, 365 further added Sections 302, 201, 120(b), 34 of the
I.P.C.

Learned counsel for the petitioner submits that vide
order dated 23.12.2022 copy of charge sheet has been asked to
be filed.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that the dispute has occurred only due to the adverse interest of

first and second wife of the informant. It is not a criminal act rather for achieving the civil rights this dispute took place, which resulted into the commission of the offence. He further submits that from the content of the F.I.R. it transpires that it is absolutely a civil case and not a criminal case.

Learned counsel for the State opposes the prayer for bail and submits that it is not a case under Section 363/365 of I.P.C. rather it is a case of kidnapping with murder and it requires a complete trial.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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