

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72220 of 2022

Arising Out of PS. Case No.-265 Year-2022 Thana- KATORIYA District- Banka

=====

CHURAMAN @ CHURAMAN YADAV @ CHANDRA KISHORE YADAV
S/o Gopi Yadav R/v- Dulidih, P.S.- Katoriya, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 3046 of 2023

Arising Out of PS. Case No.-265 Year-2022 Thana- KATORIYA District- Banka

=====

PARESH YADAV @ PREM KUMAR YADAV S/O KETI YADAV @ KATKI
YADAV Resident of village- Damodara, Naiyadih, P.S.- Katoria, District-
Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 72220 of 2022)

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.

: Mr.Md. Najmul Hodda, Adv.

For the Opposite Party/s : Mr.Jagdhar Prasad

(In CRIMINAL MISCELLANEOUS No. 3046 of 2023)

For the Petitioner/s : Mr.Md. Nurul Hoda

For the Opposite Party/s : Mr. H.A. Khan

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-03-2023 As both these application arise from the same P.S.

Case No., with consent of parties, they have been heard together

and disposed of by a common order.

Heard learned Senior counsel for the petitioners and



learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 363, 365 and 120(B)/34 of the Indian Penal Code pending in the learned court below.

All the accused persons including the petitioners are said to have kidnapped the son of the informant.

Learned Senior counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that due to panchayat election, the petitioners have been made accused in the present case. He submits that there is delay of four days in filing of the present FIR and there is no any explanation of it which creates serious doubt about the prosecution case. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail and submits that from perusal of the impugned order, the statement of the victim was record under Section 164 Cr.P.C. whereas the victim has supported the prosecution case. Hence, the petitioners do not deserve anticipatory bail.

Considering the aforesaid facts and circumstances and



the fact that the victim has supported the prosecution case, I am not inclined to enlarge the petitioners on bail in connection with Katoriya P.S. Case No. 265/2022. Accordingly, their prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

