

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68495 of 2022

Arising Out of PS. Case No.-129 Year-2021 Thana- SARMERA District- Nalanda

Kapil Kewat S/O Pahari Kewat Resident Of Village- Kankubigha, P.S.- Ben District- Nalanda.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363 and 365 of the Indian Penal Code and further added Section 302, 201 and 120(B) of Indian Penal Code pending in the learned court below.

As per the prosecution case, the son of the informant was said to have kidnapped by the accused persons.

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 is not named in the FIR. He submits that there is no specific overt act against the petitioner. He further submits that except confessional statement of the co-accused there is no material against the petitioner. He



further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposes the bail application and submits that the process under Section 82 & 83 of the Cr.P.C. has been completed against the petitioner. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Sarmera P.S. Case No. 129/2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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