

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60989 of 2023

Arising Out of PS. Case No.-176 Year-2022 Thana- PIRPAINTI District- Bhagalpur

GOLU KUMAR @ ROHIT KUNWAR @ GOLU KUNWAR Son of Mangal
Kunwar R/o vill - Kunwar Tola Bakharpur, P.S. - Pirpanti, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 29-02-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Pirpanti (Bakharpur) Police Station Case No. 176 of 2022, dated 10.06.2022, disclosing offences under Sections 364/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 09.06.2022, the petitioner with other accused persons kidnapped the elder brother of the informant.
4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to land dispute between the parties regarding mango orchard. He further submits that during the course of investigation, the name of the petitioner has not been



disclosed by the witnesses.

5. On the other hand, learned counsel for the State vehemently opposes the prayer for bail and submits that during the course of investigation, it has come to light that the petitioner is a gang member of Mohan Thakur and one Bihari Mandal, in paragraph no. 17 of the case diary, has disclosed the name of the petitioner, alongwith other accused persons, who participated in the present offence and kidnapped the informant's brother in order to kill him.
6. Regards being had to the submissions made on behalf of the parties and taking into consideration the gravity of the offence and the fact that the petitioner is specifically named in the First Information Report, I am not inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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