

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72637 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- NAWADA MUFFASIL District- Nawada

AMARJEET KUMAR @ NITISH S/O MAHESH CHOUDHARY
VILLAGE- KHARANT, PS. MUFFASIL NAWADA, DIST. NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Mufassil P.S. Case No.89 of 2023, registered for the offence
punishable u/s 366(A) of the IPC.

3. Allegation as per the F.I.R. is that all the named accused
persons including the petitioner are involved in kidnapping of
the daughter of the informant.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case due to ulterior
motive. No such occurrence in the manner as alleged has ever
taken place. Parties are agnates and there is a dispute between
them regarding drainage and passage. It is submitted that the



alleged occurrence took place on 14.04.2023 but the F.I.R. was registered on 17.04.2023 i.e. after delay of four days and it was sent to the Court after seven days. Such a delay in lodging the F.I.R. without giving any explanation itself creates doubt about the prosecution case. There is general and omnibus allegation against the petitioner and he has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is allegation against the petitioner and the victim in her statement recorded u/s 164 Cr.P.C. has supported the prosecution case.

6. Considering the aforesaid facts and circumstances, 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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