

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75235 of 2023

Arising Out of PS. Case No.-111 Year-2022 Thana- INDUSTRIAL AREA District- Vaishali

SUNIL KUMAR @ SUMIT KUMAR S/O KISHORI RAI R/O MOHALLA-
JETHUI, P.S- INDUSTRIAL AREA HAZIPUR, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 07-03-2024 Heard Mr. Alok Kumar Alok, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Industrial Area P.S. Case No. 111 of 2022 registered under Sections 364(A), 395 and 397 of the Indian Penal Code lodged on 04.07.2022 by the informant, Ranjit Kumar @ Pappu Kumar.

3. As per the prosecution story, the informant has alleged that after closing the shop when he was returning, a Wagon-R intercepted, he was put into the car and was taken away. It was only on account of the normal checking by the police that he was able to be rescued. While some accused persons managed to flee, others apprehended and name of the petitioner came in. Accordingly, the FIR.



4. Learned counsel for the petitioner submits that in his statement under Section 164 of the Cr.P.C. has not named the petitioner herein though he concede that he has criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail and points out that not naming the petitioner under Section 164 of the Cr.P.C. is normal as the informant cannot have the knowledge of the name of the accused persons who tried to kidnap him and were taking him away for the timely intervention of the police.

6. In that background, taking into account the criminal antecedent of the petitioner aspect also, it would be appropriate that the petitioner seeks bail.

7. Accordingly, the anticipatory bail of the petitioner stands rejected.

(Rajiv Roy, J)

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