

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85127 of 2023

Arising Out of PS. Case No.-588 Year-2022 Thana- DUMRA District- Sitamarhi

MANISH KUMAR SON OF KRISH ANANDAN RAY R/O VILLAGE-
PARASPATTI, WARD NO.-09, P.O.- PARSAUNI, P.S.- DUMRA,
DISTRICT- SITMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned A.P.P. for
the State

2. The petitioner apprehends his arrest in Dumra P.S. Case No.
588 of 2022 registered for the offences punishable under Section
366A/34 of the Indian Penal Code.

3. The daughter of the informant and his cousin's daughter is
said to have been kidnapped by One Nitish Kumar in
association of this petitioner with ulterior motive.

4. It is submitted by learned counsel for the petitioner that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. It is further submitted that Awadhesh
Mishra (father of one of the girls) has filed an affidavit that
petitioner is nowhere involved in the present case. It is further



submitted that the anticipatory bail of principal accused, Nitish Kumar was rejected on 07.07.2023 by this Court and he was released on regular bail by the learned Court below itself considering the fact that the parties have compromised the matter. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the nature of the offence, the petitioner does not deserve bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order considering the fact that the main accused, Nitish Kumar has already been released on regular bail by the learned Court below.

(Anjani Kumar Sharan, J)

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