

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86173 of 2023

Arising Out of PS. Case No.-165 Year-2022 Thana- MALSALAMI District- Patna

Pankaj Kumar Son Of Sanjay Kumar R/O- Of- Chhoti Mandir. Simali.-
Pandariwa.-PS. Malsalami.- Dist. Patna.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 3 12-07-2024 1. Heard learned counsel appearing on behalf

of the petitioner and learned Additional Public Prosecutor

Mr. Navin Kumar Pandey appearing on behalf of the

State.
2. The accused/petitioner is not named in F.I.R.

and apprehending his arrest in connection with Malsalami

P.S. Case No. 165 of 2022, registered for the offences

punishable under Sections 363, 365/34 of the Indian

Penal Code, later on Sections 302, 201, 120(B) of the

Indian Penal Code.
3. As per case of prosecution, which is based

upon written report of informant, namely, Hareshwar



Singh, it appears that his son Aryan Kumar, aged about 19 years at about 2:00 PM went alongwith his friends namely, Shahrukh and Tufani Singh. After that the son of informant became traceless, which later on found dead.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner falsely implicated with present case as save and except suspicion, nothing appears available against him. It is pointed out that name of this petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused Amit Kumar @ Tufani Singh. It is submitted that out of said confession, no incriminating material recovered/surfaced during the course of investigation till now as to connect petitioner *prima facie* with the present occurrence. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP while opposing the prayer of bail submitted that petitioner was a driver of alleged



vehicle through which the son of informant was kidnapped.

6. Considering the facts and circumstances as petitioner found actively involved in kidnapping of son of the informant, who later on found dead, being driver of the vehicle which alleged to be involved in kidnapping of son of the informant, accordingly, the prayer of anticipatory bail of the petitioner is rejected herewith.

(Chandra Shekhar Jha, J)

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