

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70268 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- ANDHRAMATH District- Madhubani

Dhirendra Mukhiya Son of Late Rameshwar Mukhiya Resident of Village -
Rauahi, P.S. - Andhramath, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Gagan Deo Yadav Mr. Ravi Prakash & Mr. Udeshya Kr. Yadav, Adv.
For the Opposite Party/s :	Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-01-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 363, 365/34 of the Indian Penal Code and later on, Sections 302, 201, 120(B) of the I.P.C. were added.

3. As per prosecution case, on 22.03.2023 at about 8 PM, mother of the informant was kidnapped by petitioner and other co-accused persons. Informant has also alleged that three days prior to occurrence on 19.03.2023, altercation took place between the mother of informant and this petitioner, in which, petitioner had threatened to kill his mother.

4. Learned counsel for the petitioner submits that



informant is not eye-witness to the occurrence and only on suspicion, petitioner and others have been made accused in this case. As per F.I.R., the alleged occurrence took place on 22.03.2023, but the F.I.R. has been lodged after 6 days i.e. on 28.03.2023 and there is no plausible explanation of delay.

5. However, learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that petitioner is named in the F.I.R. with specific accusation that he alongwith others kidnapped mother of informant. During investigation, the dead-body of mother of informant was recovered and thereafter, sections 302, 201, 120(B) of the I.P.C. were added. During investigation, the witnesses have supported the prosecution case and stated that threat was given by petitioner 3-4 days prior to the occurrence and petitioner was last seen near the house of deceased on the date of occurrence.

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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