
(2020) 03 PAT CK 0051

In the Patna High Court

Case No : Criminal Miscellaneous No. 87059 Of 2019

Raju Mahto

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision : 19-03-2020

Acts Referred:

Indian Penal Code, 1860 — Section 364A

Citation : (2020) 03 PAT CK 0051

Hon'ble Judges : Ahsanuddin Amanullah, J

Bench : Single Bench

Advocate : Sanjay Kumar, Madhuri Lata

Final Decision : Dismissed

Judgement

Ahsanuddin Amanullah, J

1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner is in custody in connection with Nautan PS Case No. 184 of 2019 dated 15.05.2019 instituted under Section 364A of the Indian Penal Code.
3. The allegation against the petitioner is of kidnapping the brother of the informant.
4. Learned counsel for the petitioner submitted that he is not named in the FIR and only on suspicion has been arrested. It was submitted that because the petitioner was apprehended in Nautan PS Case No. 185 of 2019, he has been also made accused in the present case. Learned counsel submitted that there has been no recovery from the petitioner.
5. Learned APP, from the case diary, submitted that the petitioner was caught with firearm on the same day i.e., 15.05.2019 and based on his confessional statement, the police took him to the site from where the victim was recovered, with his hands tied, from the cane field.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.