

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32049 of 2014

Arising Out of PS.Case No. -537 Year- 2008 Thana -SITAMARHI District- SITAMARHI

1. Santosh Jha @ Santosh Kumar Jha son of Chandrashekhar Jha resident of village - Dostiya, P.S. Puranhia, District - Sheohar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Hirday Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 24-12-2014 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Sitamarhi P.S. Case No. 537 of 2008 registered for the offences punishable under Sections 387 and 386 of the Indian Penal Code.

Allegedly, from mobile no. 9973329352 a ransom of rupees twenty five lacs was demanded on telephone no. 251330 of the informant on 17.10.2008 otherwise to kill him and destroy his house and nursing home. Ransom was repeatedly demanded and then the FIR was lodged. During investigation name of the petitioner transpires in the confessional statement of co-accused Chiranjivee Sagar and further witnesses have stated his name along with others that they have exploded the bomb and were seen

fleeing away near Baidyanath Nursing Home, Sitamarhi at Ring Bandh. The petitioner got criminal history also.

Submission at the bar for release of the petitioner is that no ransom amount was paid and only on the ground that the petitioner got criminal antecedent, he has been implicated in this case. There is no other material against the petitioner except the confessional statement and no one has seen the petitioner exploding the bomb to which the learned APP opposes. By pointing out that in paragraphs 17 and 18 of supplementary case diary dated 7.12.2013 witnesses Sunju Gupta and Bhikhari Patel have seen the petitioner and others exploding bomb.

In the facts and circumstances stated above and noticing that due to non-fulfillment of demand of ransom the petitioner and others exploded bomb which is evident from paragraphs 17 and 18 of supplementary case diary dated 7.12.2013, this Court is not inclined to enlarge the petitioner Santosh Jha @ Santosh Kuma Jha on bail at this stage. Accordingly, prayer for bail of the petitioner is rejected in connection with Sitamarhi P.S. Case No. 537 of 2008.

(Jitendra Mohan Sharma, J)

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