

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1149 of 2015

Arising Out of PS.Case No. -139 Year- 2013 Thana -SAHIYARA District- SITAMARHI

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Shyam Kumar Gami Son of Late Ram Sevak Gami Resident of Village-
Motiyara,P.S-Sahiyara,Distt.-Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

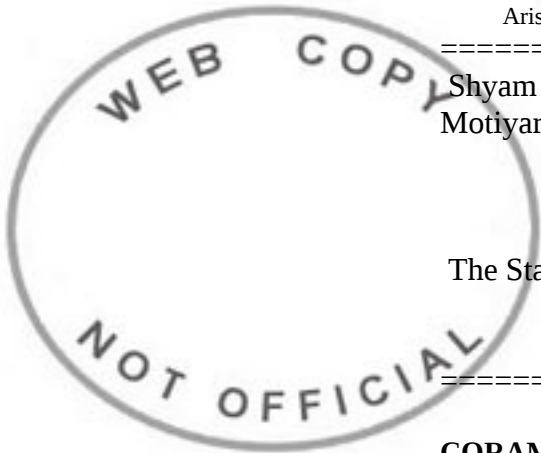
4 11-03-2015 Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence punishable under Section 364/34 of the Indian Penal Code.

The allegation against the petitioner is that the son of the informant did not return to the house. He searched and it was suspected that the petitioner had kidnapped the boy as he had given threatening to compromise the case failing which his son would be kidnapped.

It is submitted that informant is not the eye witness to the occurrence. Only suspicion has been raised against the petitioner. During investigation the petitioner was apprehended and he has made confession before the police which has no evidentiary value. There is enmity between both the parties.

Learned counsel for the State has submitted that during investigation the petitioner is found to have



kidnapped the boy and to have demanded ransom from the petitioner. During investigation the call details of the petitioner has been found and the dead body has also been found. The confession has led to the recovery of the dead body. After investigation the case has been found true, it has been committed to the court of sessions, charge has already been framed and witnesses are being examined.

Considering the facts and circumstances, in my opinion, the petitioner does not deserve bail. His prayer for bail is rejected.

(Amaresh Kumar Lal, J)

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