

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3528 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -RAMKRISHNANAGAR District- PATNA

1. AMAR KUMAR @ AMAN KUMAR son of Kusheshwar Paswan,
Resident of village- Shiv Nagar Khemni Chak, P.S.- Ram Krishna Nagar,
District- Patna.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Naresh Ray

For the Opposite Party/s : Mr. Ashok Kr.Singh No.1(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 17-03-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Ram
Krishna Nagar P.S. Case No. 61 of 2015 registered for the
offences punishable under Sections 363 and 365 of the Indian
Penal Code.

Allegedly, Laxmi Kumar aged 13 years, the younger
brother of the informant went out of the house on 28.03.2015 at
6:00 am and became traceless. During investigation it transpires
that the mother of the victim received a call from mobile number
9973864195 and the caller told the mother of the informant that he
was calling from Chennai and her son was with him and he
demanded ransom of Rs. 7,00,000/-. During further investigation
it reveals that sim number 9973864195 was used through mobile
bearing IMEI No. 354269063067740 and that mobile was being

used by using another sim bearing No. 7254956776 which was purchased by the petitioner and further the said mobile which was used in demanding ransom was recovered from possession of the petitioner vide paragraph 125 of the case diary.

Submission is of false implication and that the petitioner is tenant of the informant and only to make pressure for vacating the house, the informant roped the petitioner in this case, he is not named in the first information report nor he was seen with the petitioner on the date of his disappearance, the victim was habitual in leaving the house without saying anyone which is evident from the statement of the father of the victim and wife of the informant, the sim number which was used for demanding ransom was in the name of another person and as such the petitioner deserves sympathetic consideration to which the learned APP opposes by submitting that the mobile which was used for demanding the ransom was recovered from possession of the petitioner and if the informant has any grudge then he might have implicated the petitioner in first information report itself but during investigation name of the petitioner has transpired and the victim is still traceless.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature,

this Court is not inclined to enlarge the petitioner on bail,
accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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