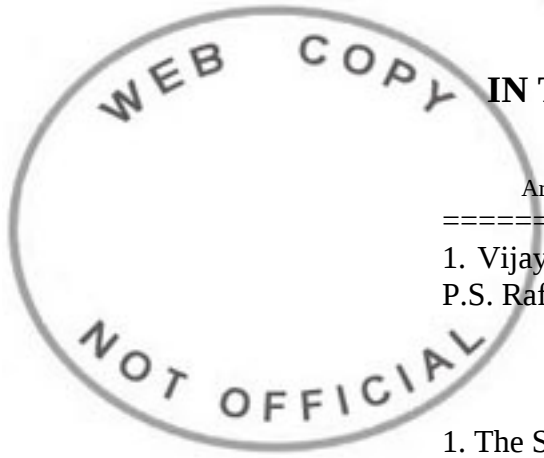




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3146 of 2016

Arising Out of PS.Case No. -155 Year- 2015 Thana -BARACHATTI District- GAYA

=====

1. Vijay Singh son of Late Rajendra Singh resident of Village- Chitarsari,
P.S. Rafiganj, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Mithilesh Kumar Khare (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 18-03-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 364 of the I.P.C

Allegedly, Dr. Pankaj Kumar Gupta and his wife were
kidnapped by some unknown miscreants from Barachatti region
when they were going from Giridih from his Audi Car bearing
registration no. JH01AB-7698. During investigation the victims
were released and on the basis of their statement raid was
conducted in Flat No. 906 of Sharda Apartment at Gomti Nagar,
Lucknow and from there the petitioner and other co-accused were

apprehended with the arms and further the looted Audi Car, other looted Cars and the articles of the victims Dr. Pankaj Kumar Gupta and his wife were recovered besides other incriminating articles.

Submission is of false implication and that the petitioner has been made victim of the circumstances, he has been implicated merely on suspicion, the confessional statement of the co-accused has got no evidentiary value in the eye of law, the petitioner was not arrested from the room of Flat No. 906 but from the basement and without any legal and cogent material the petitioner is suffering in custody since 11.05.2015.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner and other co-accused were apprehended and from the basement itself the looted Audi Car besides other vehicles were recovered and further from that flat the articles of the victims were also recovered which was identified by them also later on.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, at present this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Barachatti P.S. Case No. 155 of 2015 pending

in the court of Judicial Magistrate, 1st Class, Gaya.

However, considering detention of the petitioner, let
the trial be expedited and concluded as early as possible.

(Jitendra Mohan Sharma, J)

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