

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55501 of 2015**

Arising Out of PS.Case No. -859 Year- 2014 Thana -BIHTA District- PATNA

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1. Mithlesh Raj Raju @ Pappu Singh S/o Baiju Sharma R/o Flat No. 306,  
Jaiballab Appartment , P.s Patliputra, Distt-Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shankar Kumar Thakur

For the Opposite Party/s : Mr. Uday Chand Pd.(App)

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

9      12-04-2016                      Heard the learned counsel for the petitioner, the  
  
learned A.P.P for the State as also the learned counsel for the  
  
Informant.

The petitioner seeks bail in a case for the offences  
  
punishable under sections 363, 364, 365 and 34 of the I.P.C

Allegedly, co-accused Anant Singh and his men,  
  
having armed with deadly weapon went at the house of the victim  
  
Rajiv Ranjan Singh @ Raju Singh boarded in five different  
  
vehicles and forcibly abducted the victim and started fleeing by  
  
their vehicle. The reason behind the alleged occurrence is said to  
  
be not fulfilling the demand of Rupees Ten Crores as extortion  
  
money and for that the victim had lodged earlier a case in the  
  
Krishnapuri Police Station and further it is alleged that Anant



Singh had purchased 6 kathas of land but had not paid Rupees one crore five lakhs. The petitioner is not named in the First Information Report but his name transpires in the statement of the victim recorded under section 164 Cr.P.C. wherein the allegation against the petitioner is that the petitioner was in Scorpio vehicle and when the villager opposed for kidnapping, at the order of Anant Singh the petitioner took out rifle and pointed out at the villagers directing not to come forward otherwise to shoot them. Further allegation against the petitioner is that he and other co-accused are causing threats to the family members of the victim to withdraw the case otherwise to kill them.

Submission is of false implication and that the petitioner is not named in the First Information Report, his name has come later on only with a view to give colour to the case which appears not probable and reliable, the petitioner has got no concern with the co-accused Anant Singh or his associates, the petitioner earlier inadvertently did not mention his criminal antecedent but he is an accused in Patliputra P.S. Case No. 80 of 2006 lodged under section 387/34 of the I.P.C. wherein he is on bail and further he was an accused in Silao (Rajgir) P.S. Case No. 278 of 1995 lodged under sections 498 A, 494, 323 and 379 of the I.P.C. wherein the petitioner has been acquitted on the basis of the



compromise, during investigation no other incriminating material has come against the petitioner and as such he deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes by submitting that the crime committed is an organized crime and the petitioner took active role by pointing out the rifle upon the villagers and then the victim was kidnapped and further his ornaments were also looted away, it is also submitted that in this case prayer for bail of co-accused Bipin Kumar Singh who is also not named in the First Information Report has already been rejected vide Cr. Misc. No. 42513 of 2015 along with Cr. Misc. No. 43512 of 2015 and as such the petitioner being threat to the society does not deserve bail.

In the facts and circumstances as stated above, noticing that the petitioner along with other accused persons having armed with deadly weapons entered into the house of the victim and kidnapped him in a vehicle for not fulfilling the demand of extortion money and further the petitioner and other co-accused are causing threats to withdraw the case and as such considering the allegation attributed against the petitioner, also serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with

Bihata P.S. Case No. 859 of 2014 pending in the court of the  
A.C.J.M. Danapur, Patna.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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