

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34657 of 2016

Arising Out of PS.Case No. -73 Year- 2015 Thana -KASHICHAK District- NAWADA

=====

Ravi Shankar Kumar, son of Shree Ram Singh, resident of village Dihari,
P.S. Kashichak, district Nawadah Petitioner

Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner : Mr. Gopal Sharan Singh, Adv.

For the Opposite Party : Mr. Mustaque Alam, APP 36

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-10-2016

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

The petitioner is languishing in custody since
07.10.2015 in connection with Kashichak P.S. Case No. 73 of
2015 registered for offence under Sections 363 and 364(A) of the
Indian Penal Code and subsequently charge sheet has been
submitted under Section 302 of the Indian Penal Code.

The prosecution story, in brief, is that the son of the
informant has been kidnapped for ransom and during investigation
the involvement of the petitioner revealed.

On behalf of the petitioner it has been submitted that
the charge sheet has been submitted in the case. There is no
criminal antecedent against the petitioner and there is no allegation
of tampering of the witness alleged against the petitioner. The
petitioner is not named in the first information report. There is no
eye witness to the alleged abduction. The name of the petitioner
has come on his self confession. There is no substantive material
to suggest his implication in the present case.

On behalf of the State it has been submitted that
paragraph 47 of the case diary is the confessional statement of the

petitioner before the police which led to the recovery of the articles of the victim. The same is evident from paragraph 53 of the case diary. A witness has been examined under Section 164 of the Criminal Procedure Code and whose statement is referred in paragraph 97 of the case diary, which indicates that the victim boy was taken in the custody by the petitioner along with other co-accused.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Kashichak P.S. Case No. 73 of 2015 pending in the Court of Sri Rajesh Kumar, Judicial Magistrate, 1st Class, Nawadah.

The trial Court is directed to take necessary step to expedite the trial.

(Sudhir Singh, J)

SA/-

U	√	T	√
---	---	---	---