

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6847 of 2016

Arising Out of PS.Case No. -82 Year- 2015 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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1. Manoj Ram son of Late Bideshi Ram resident of Village Rampur P.S.
Bhabua District Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. P.K. Jha (App)

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

3 18-04-2016

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

The petitioner seeks bail in connection with
Bhagwanpur (Belaon) P.S. Case No. 82 of 2015 registered for the
offences punishable under Sections 364(A), 363 and 120(B)/34 of
the Indian Penal Code.

Allegedly, Amit Kumar aged 3 years the son of the
informant was kidnapped and Ganesh Kumar Maurya stated that
he saw Manoj Ram taking away Amit Kumar and accordingly it is
claimed that the petitioner, in collusion and conspiracy with other
co-accused, have kidnapped the boy. During investigation the
victim boy was recovered from possession of Chandra Tara
Kunwar and she confessing the guilt stated the name of the
petitioner.

Submission is of false implication and that only with a

view to get his house vacated, the petitioner and others have been implicated, the petitioner without any fault suffering in custody since 23.09.2015, other co-accused Mahesh Kumar @ Mahesh Ram has been allowed bail and, as such, the petitioner also deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the case of the petitioner is on different footing and prayer of bail of Chandra Tara Kunwar has been refused by another co-ordinate Bench of this Court.

In the facts and circumstances stated above, considering that the petitioner was seen by Ganesh Kumar Maurya taking away the victim boy and further Chandra Tara Kunwar confessing her guilt has also stated the name of the petitioner and, as such, at this stage, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Bhagwanpur (Belaon) P.S. Case No. 82 of 2015 pending in the Court of Addl. Sessions Judge 3rd Kaimur at Bhabhua.

However, considering the detention of the petitioner let the trial be expedited and concluded as early as possible, preferably within a period of nine months.

(Jitendra Mohan Sharma, J)

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