

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16049 of 2016

Arising Out of PS.Case No. -289 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Vishal Kumar Son of Ram Naresh Prasad Kushwaha R/o Mohalla Korla
Tola, Ward No. 24, P.S. Raxaul, District East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Shahnawaz Ali, Advocate.

For the Opposite Party : Mr. Umeshanand Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-05-2016 Heard both sides.

The petitioner apprehends his arrest in Raxaul P.S. Case No.
289 of 2015, registered for the offence punishable under Section 387 of
the Indian Penal Code.

Vijay Prasad the informant alleged that he received a call on
his mobile no. 9199092787 from mobile no. 00977-9809158877 from
which ransom of Rs. 5,00,000/- was demanded.

Learned counsel for the petitioner submits that petitioner is
not named in the FIR. Nothing has been recovered from the possession
of the petitioner. The mobile number from which ransom was
demanded not belonging to the petitioner Vishal Kumar rather it has
come in course of investigation that the same belongs to one Rakesh
Kumar. There is no material on record to show the involvement of the
petitioner and the petitioner has got no criminal antecedent.

On perusal of the case diary, it transpires that from mobile

no. 7808858414 ransom was demanded. The informant assured to give the ransom and as per direction kept the bag on a Thela from where the boy was apprehended who disclosed his name as Rakesh Kumar @ Chhotu. Rakesh Kumar @ Chhotu who confessed his guilt and disclosed the name of the petitioner, Sunil Pandey and Others. Sunil Pandey is in Central Jail, Muzaffarpur.

Considering the facts aforesaid and the fact that the name of the petitioner has come from the mouth of Rakesh Kumar @ Chhotu who had come to collect the ransom amount was apprehended on the spot, I am not inclined to enlarge the petitioner above named on anticipatory bail in Raxaul P.S. Case No. 289 of 2015, pending in the court of the Learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit and dispose of the bail petition on the same day.

(Prabhat Kumar Jha, J.)

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