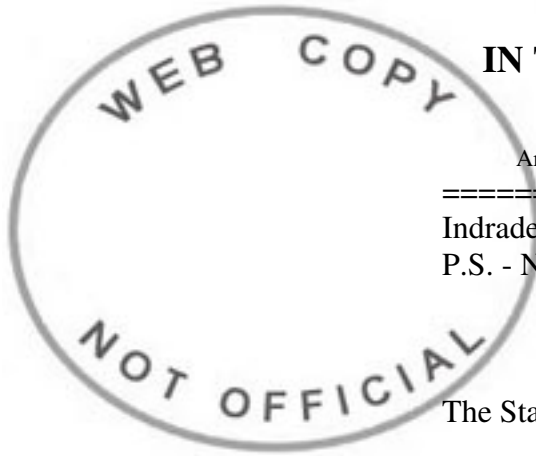




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15150 of 2016

Arising Out of PS.Case No. -94 Year- 2015 Thana -NARDIGANJ District- NAWADA

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Indradeo Chauhan son of Munni Chauhan Resident of Village - Chilkapar,
P.S. - Nardiganj, District - Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Arun Kumar Singh-5(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA

ORAL ORDER

3 19-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Nardiganj P.S.Case No.94 of 2015 registered for the offence under
Section 364/34 of the Indian Penal Code.

Allegedly, the petitioner and co-accused Munni
Chauhan kidnapped the son of the informant who was coming
with cash of Rs.50,000/- and thereafter Ramratan Chauhan, son of
the informant informed his friend to tell his family members to
come with Rs.1/- lac otherwise they will kill him. During
investigation the victim was recovered from the house of the

petitioner and the petitioner was also apprehended.

Submission is of false implication and that no amount was recovered from the house of the petitioner, as a matter of fact, the victim himself had gone to the house of the petitioner for accounting and some disputes arose resulting the victim gave false information to the family members by his friend, when the police came at the house of the petitioner, the son of the informant was found sitting, the police also lodged a false case under Section 353 of the Indian Penal Code against the petitioner and his son, without any legal and tangible material, the petitioner is suffering in custody since 21.8.2015. Other co-accused Munni Chauhan has already been allowed bail by another coordinate Bench of this Court vide Cr.Misc.No.1386 of 2016 on 14.01.2016.

Learned A.P.P. opposes the prayer of the petitioner by submitting that the victim in his statement recorded under Section 164 Cr.P.C. has stated the name of the petitioner as kidnapper and at about 12 O' Clock at night police came to the house of the petitioner and caught the petitioner and recovered the victim.

In the facts and circumstances stated above, at

present I am not inclined to enlarge the petitioner on bail and, accordingly, it is rejected.

However, the petitioner may renew his prayer for bail after examination of the victim and the informant during trial.

(Jitendra Mohan Sharma, J)

AnilKrSinha/-

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