

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.6737 of 2016**

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

1. Raja @ Kundan Kumar Son of Binod Singh Resident of Village - Sare,  
Police Station - Sare, District -Nalanda..... .... Petitioner

Versus

1. The State of Bihar. .... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Rabindra Kumar

For the Opposite Party/s : Mr. D.P.Tiwary(App)

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

**ORAL ORDER**

3      08-04-2016                      Heard learned counsel for the petitioner and learned APP for  
the Sate.

The petitioner seeks bail in connection with Kasichak P.S.  
Case No. 73 of 2015 registered for the offences punishable under  
Sections 363, 364A IPC in which Sections 302, 201, 120B/34 IPC were  
added subsequently.

Allegedly, Dhiraj Kumar @ Fatinga aged 9 years wearing  
school dress was kidnapped on 05.09.2015 at 4:30 pm and thereafter,  
ransom of Rs. 8,00,000/- was demanded through mobile and again  
several threats were caused to the informant. During investigation co-  
accused Ravishankar Kumar and Ajit Kumar @ Karu were  
apprehended with arms and ammunitions and on the basis of their  
confession the Police raided Utsav Marriage Hall and arrested the  
petitioner and Shushant Kumar from a room and recovered the inner  
paint of the said victim boy as well as mobile used in the case and both  
confessed their guilt stating that one boy Chandramani Kumar is still

present in the room and statement of Chandramani Kumar was recorded vide para 73 of the case diary and his statement under Section 164 Cr.P.C. was also recorded. Other co-accused also confessed their guilt and stated that the victim boy was murdered and was thrown in Ganga river at the Rajendra Nagar Bridge under Hatidah Police Station.

Submission is of false implication and that the petitioner has been made victim of circumstances, only on the basis of confessional statement he is suffering in custody, Chandramani Kumar has not stated the name of the petitioner rather he has stated the name of Nandan Kumar, Ravishank Kumar and Karu that they kept Dhiraj @ Fatinga and as such he deserves sympathetic consideration as against him besides confessional statement there is nothing to which learned APP opposes by submitting that inner paint of the said victim boy was recovered from where the petitioner and co-accused Shushant Kumar were arrested.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

**(Jitendra Mohan Sharma, J)**

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