

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12408 of 2016**

Arising Out of PS.Case No. -651 Year- 2015 Thana -SIWAN CITY District- SIWAN

Sonu Singh son of Amarendra Singh

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Rajesh Kumar(App)

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

2 18-03-2016

Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

The present case was initially lodged under section 363  
of the Indian Penal Code for kidnapping of one Murlidhar  
Krishna but subsequently, the case was converted into under  
section 364-A of the Indian Penal Code.

In course of investigation, it came to light that the  
aforesaid so called victim Murlidhar Krishna hatched a conspiracy  
along with petitioner and others to fetch money from his father  
and, subsequently, one Amit Kumar Sah lodged this false case of  
kidnapping on the direction of aforesaid Murlidhar Krishna and  
others including the petitioner. The aforesaid victim Murlidhar  
Krishna has also been made accused in the present case.  
Moreover, submission on behalf of the petitioner is that even if it

is assumed that petitioner and co-accused Murlidhar Krishna hatched a conspiracy for fetching money from the father of Murlidhar Krishna, then also no case under section 364A is made out and at best, it is a case of cheating.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S.Case No. 651 of 2015.

**(Hemant Kumar Srivastava, J)**

N.K/-

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