

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38451 of 2017**

Arising Out of PS.Case No. -70 Year- 2017 Thana -JANKI NAGAR District- PURNIA

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Roshan Kumar @ Roshan Yadav, Son of Shailendra Kumar, Resident of  
Village- Tamkulha, Police Station- Basnahi, District- Saharsa.

.... .... Petitioner/s

Versus

The State of Bihar.

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

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**Appearance:**

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate.

For the Opposite Party/s : None.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL ORDER**

2      19-08-2017

Heard learned counsel for the petitioner.

No one appears for the State.

The petitioner, in the present case, is seeking regular  
bail in Janki Nagar P.S. Case No. 70/2017 registered under  
Sections 364 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that from  
perusal of the First Information Report it would appear that the  
son of the informant had gone to Madhepura at the instance of one  
boy, namely, Md. Gyas on his own motorcycle. It is alleged that  
said Md. Gyas had taken the victim boy to his brother-in-law Md.  
Ahsan and Md. Perwez Alam, who are running a small type clinic  
near the College Chawk. The victim boy was kidnapped there with  
his motorcycle with an intention of abduction and he was asked to  
call his father to pay a sum of rupees three lacs for his release. It is



further alleged that in the evening, his son Manzar gave a call from the two mobile nos. mentioned in the F.I.R. and he informed that he was kept in the house of Roshan Yadav and on payment of rupees three lacs to said Roshan Yadav, he will be released, otherwise they will kill him.

Later on, the Investigating Officer raided the house of Roshan Yadav (the petitioner) and recovered the victim boy, who has also made statement under Section 164 Cr.P.C. and has supported the statement of his father.

Learned counsel submits that this petitioner has been falsely implicated showing his place of residence as the place of arrest. He would point out that from the entire narration of the facts in the F.I.R. it would appear that it is Md. Gyas and his two brothers-in-law who had kept the victim boy confined and not this petitioner.

On consideration of the submissions and the materials available on the record, I find that the victim boy had informed his father that payment of rupees three lacs be made to this petitioner and also that he was kept in the custody of this petitioner. Further, the victim boy has been recovered from the house of this petitioner, therefore, there are ample materials to show active participation of the petitioner in the abduction of the victim boy.



He has also got a criminal history of having one case U/S 197, 148, 149, 341 IPC.

In the facts and circumstances stated above, I am not inclined to grant regular bail to the petitioner in the above mentioned case. The application stand dismissed.

**(Rajeev Ranjan Prasad, J)**

Dilip, AR

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