

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3187 of 2017

Arising Out of PS.Case No. -293 Year- 2014 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

=====

Tufan Sah Son of Badri Sah Resident of Village- Jhakhra, P.S. Jagdishpur,
District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 21-03-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Nautan
(Jagdishpur) P.S. Case No. 293 of 2014 instituted for the offence
under Section(s) 364 of the Indian Penal Code.

It is alleged in the written report that this
petitioner along with co-accused Ranjan Ram took the son of the
informant to earn livelihood. The son of the informant thereafter
made telephonic call to the informant to give Rs. 6,00,000/-,
otherwise he would be killed. He further informed to the informant
that he has been tortured for the aforesaid money.

The case diary has been received.

Learned A.P.P. has submitted that statement of



the victim boy was recorded in para 36 of the case diary. The victim has mentioned in his statement that both these petitioners handed over the victim boy to one Reyazul Ansari after taking Rs. 3,00,000/- from him and thereafter Reyazul Ansari started committing physical and mental torture and forced the son of the informant (victim) to make call to his father and demand Rs. 5,00,000/-. The victim boy thereafter called the informant. The statement of the victim boy is also supported by other witnesses in paragraphs 7, 8, 9, 10 of the case diary.

It has been submitted on behalf of the petitioner that one of the co-accused Ranjan Ram has been granted anticipatory bail by a coordinate Bench of this Court vide Cr. Misc. No. 32416 of 2016 on 19.12.2016.

From perusal of the aforesaid order, it appears that case diary was not produced while passing the aforesaid order. There are sufficient materials in the case diary.

Considering the statement of the victim boy levelling specific allegation against this petitioner and the materials available in the case diary, this Court is not inclined to enlarge the petitioner on anticipatory bail. The prayer of the petitioner for anticipatory bail is rejected.

The petitioner is directed to surrender before the



Court below within a period of six weeks from today in connection with Nautan (Jagdishpur) P.S. Case No. 293 of 2014 and seek regular bail, which shall be considered and disposed off on its own merit, preferably on the same day, without being prejudiced by the order of this Court.

(Sanjay Priya, J)

Shageer/-

U		T	
---	--	---	--

