

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46686 of 2016

Arising Out of PS.Case No. -199 Year- 2016 Thana -VAISHALI (BELSAR O.P.) District-
VAISHALI (HAJIPUR)

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1. Prashant Kumar Singh, S/O Bijay Kumar Singh	
2. Bhushan Kumar Singh, S/O Baidya Nath Singh	
3. Randhir Kumar, S/O Ram Bhajan singh,	
All R/o Village - Basudeopur Chandel, P.S. - Mahnar, District - Vaishali.	
4. Sujit Kumar, S/O Buttan Sah, R/o Village - Gorigama, P.S. - Mahnar,	
District – Vaishali	 Petitioner/s
Versus	
The State of Bihar	 Opposite Party/s

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Appearance:

For the Petitioner/s : Ms. Rina Sinha, Advocate.
For the Opposite Party/s : Mr. Bisheshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 16-01-2017 Heard both sides.

The petitioners seek bail in Vaishali (Belsar O.P.)
P.S. Case No. 199/2016, registered under Section 364 of the
Indian Penal Code.

The informant, wife of the victim Lalan Kumar Singh, disclosed that her husband went to Hajipur on 20.08.2016 but he did not return till the evening. The informant suspected that her husband might have been kidnapped by some unknown persons. Sri Suraj Narain Prasad Sinha, learned senior counsel for the petitioner, submits that it has come during the course of investigation that Prashant Kumar Singh (petitioner no. 1) and the victim Lalan Kumar Singh were the Directors of M/s Ashraya Vihar Developers Private Limited, a Company registered under



the Companies Act. The victim had taken some money to purchase the lands but the victim was not returning the money, therefore, a conspiracy was hatched up in order to implicate the petitioners. In fact, the petitioner no. 1 called the victim on his telephone to accompany him to see Ajay Rai, who had sold his land for its development. On account of some dispute with regard to lending of money, this false case has been lodged and the petitioners have been falsely implicated in the case. It is further submitted that on 21.08.2016 the victim was recovered and he made his statements in para 23 of the case diary. The victim also made his statements under Section 164 of the Code of Criminal Procedure and he admitted this fact that Prashant Kumar Singh (petitioner no. 1) called him to have a talk with Ajay Rai. Other witnesses have stated that on account of some dispute in the business, the petitioners have been implicated in the case but from perusal of the case diary, it appears that one Sujit Kumar came to demand ransom on a motorcycle and he demanded ransom from the wife of the victim. When the wife of the victim disclosed that she would make the payment but firstly bring the victim; on such, Sujit Kumar, petitioner no. 4, started fleeing away. He was apprehended on chase. On enquiry, Sujit Kumar disclosed the whereabouts of the victim and thereafter the victim was recovered



from a vehicle (Indica car) along with other three petitioners. The victim also made statements that firstly Prashant Kumar Singh (petitioner no. 1) called him to have a talk with Ajay Rai, who had entered into an agreement with Prashant Kumar Singh to sell the land, but later on, he was kept confined and ransom was demanded. From perusal of the statements of Ajay Rai, in para 69 of the case diary, it appears that he simply disclosed that Prashant Kumar Singh and Lalan Kumar Singh used to come to his house but there was no dispute with them.

Considering the nature of allegations made against the petitioners that the petitioner kidnapped Lalan Kumar Singh and Lalan Kumar Singh was recovered from the possession of the petitioners, I am not inclined to enlarge the above named petitioners on bail in Vaishali (Belsar O.P.) P.S. Case No. 199/2016. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day-to-day basis and conclude the same within nine months from the date of receipt / production of this order. If the trial is not concluded within the aforesaid period, the petitioners may renew their prayer for bail.

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(Prabhat Kumar Jha, J)