

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9387 of 2017

Arising Out of PS.Case No. -345 Year- 2016 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. Izhar Alam Son of Jumma Dewan Resident of Village: Fatepur
(Phatepur), P.S. Yogapatti, District: West Champaran.
2. Amaluddin Dewan @ Amaluddin Son of Jamurati Dewan Resident of
Village: Machargawa, P.S. Yogapatti, District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 12-04-2017 Heard both sides.

The petitioners seek bail in Yogapatti P.S. case No.
345 of 2016 under Section 364(A) of the Indian Penal Code.

The informant alleged that he got call from mobile
No. 8083271734 and the caller demanded ransom of Rs. five lacs
and also threatened to kill the boy if ransom was not paid.

The learned counsel for the petitioners submits that
the petitioners are not named in the FIR. During the course of
investigation, Manish Kumar was apprehended and in his
confession names of petitioners and other accused persons were
figured. Thereafter, the petitioners and other accused persons were
apprehended and on their disclosure the victim boy was recovered
by the police. It is submitted that co-accused Manish Sah @
Manish Kumar and Nasrullah Shah @ Nasrulah Sah have already



been granted bail vide orders passed in Cr. Misc. Nos. 7707 of 2017 and 11255 of 2017 respectively. The case of the petitioners stands on the same footing.

On perusal of the records, it appears that this is a case of kidnapping for ransom and not under Section 366(A) of the IPC, as stated in the aforesaid order. Firstly, Manish Kumar was apprehended and he confessed his guilt and he disclosed the name of petitioners and other accused persons. Thereafter, the police arrested Md. Izhar Alam and Amaluddin Dewan, the petitioners. The petitioners also confessed their guilt and, in pursuance of the disclosure made by the petitioners, the victim boy was recovered from Motihari railway station. The mobile from which ransom was demanded was recovered from co-accused, Sonu Kumar.

Considering the facts that there is ample material to show that petitioners kidnapped a minor boy, aged about seven years, for ransom, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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