

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43044 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -NIRMALI District- SUPAUL

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1. PRADIP YADAV @ PRADIP KUMAR, Son of Shri Brahmdev Yadav,
Resident of Village- Rasuar, Police Station- Marauna, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-11-2017 Heard learned counsel for the petitioner, learned

counsel appearing for the informant and learned APP for the State.

Petitioner seeks bail in connection with Nirmali P.S.
Case No. 28 of 2017 for offences punishable under Sections 364-
A, 120-B of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his brother Pradeep Kumar while returning home was
kidnapped on gun point by co-accused Matar Yadav and the
petitioner along with three unknown persons. It is further alleged
that the kidnappers demanded Rs. 12 lakhs as ransom and
telephoned the informant that they are Shiv Nath Yadav and
Bhagat Yadav and while the informant had gone with the help of



police two persons, namely, Ram Sagar and Salman were apprehended.

It has been submitted by the learned counsel for the petitioner that he is innocent, the father of the victim used to smuggle ganja from Nepal and because of huge amount, which could not be paid by the father, the victim boy, the son, was kidnapped and sent to Nepal with whom he had business terms and was inimical. He submits that the petitioner did not demand any ransom, charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and he is languishing in custody since 18.04.2017.

However, learned counsel appearing for the informant and learned APP for the State oppose the prayer for bail stating therein that the victim boy has been recovered with the help of the police from Nepal and he has named the petitioner along with another co-accused to have kidnapped him and sent to Nepal.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Nirmali P.S. Case No. 28 of 2017, pending in the court of learned S.D.J.M., Birpur, Supaul.



Application is, accordingly, rejected. However, petitioner may renew his prayer for bail after framing of charge.

(Nilu Agrawal, J)

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