

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62460 of 2017

Arising Out of PS.Case No. -616 Year- 2017 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

- =====
1. Abinash Kumar, S/o Amod Kumar Choudhary,
 2. Gautam Kumar Choudhary @ Gautam Kumar S/o Late Shrikant Choudhary,
 3. Khageshwar Das, S/o Late Ledi Das, All R/o Village- Jotha @ Jetha, P.S.- Dhoraiya, District- Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 16-02-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Kotwali PS Case No. 616 of 2017 registered under Sections 364A, 307/34 of the IPC and Section 27 of the Arms Act..

The allegation in brief is that the petitioners kidnapped the informant for ransom, brought him back on the same day to the shop and asked to bring back money from the shop but when he came near the shop he raised alarm and police apprehended the people sitting in the vehicle. It is also alleged that while the informant was in the captivity of the accused they tried to strangulate him and also opened fire but it hit one Vikram Kumar.

Learned Counsel for the petitioner submits that the story is improbable, so called spent cartridges were recovered from the vehicle whereas allegation is that fire was opened while the informant was in their captivity. It is further submitted that petitioner No. 3 is servant of other petitioners and only allegation against him is that he served food to the victim while in captivity and was not



apprehended from the spot.

Learned Counsel for the State submits that it is a case of kidnapping for ransom, they brought the victim to the shop for collecting money but when the informant raised alarm petitioner Nos. 1 and 2 were apprehended along with the vehicle and petitioner No. 3 was also involved in the occurrence.

Having considered the said facts, circumstances and the nature of the offence the prayer for bail of the petitioners is rejected.

(Arun Kumar, J)

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