

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42250 of 2018

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Guddu Singh, S/o Raj Kishore Singh, Resident of Village- Srirampur,
Thulhi, P.S.- Parbatta, District- Khagaria.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Sakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

04 06-10-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in Parbatta P.S. Case
No. 296 of 2016 registered under Section 364 of the Indian
Penal Code.

The petitioner is said to have kidnapped the
brother of the informant, namely, Pankaj Kumar on way to his
house for ransom.

It is submitted by learned counsel for the
petitioner that no such occurrence as alleged took place. He has
no concern with the aforesaid occurrence. The occurrence is
said to be of 19.12.2016 but the victim turned up before the
police on 20.12.2016 and in his statement under Section 161
Cr.P.C. he has named four accused persons in the occurrence,



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while in his statement under Section 164 Cr.P.C. he has named the petitioner in the occurrence. The petitioner has been falsely implicated in this case due to grudge and animosity as the sister-in-law of the petitioner had lodged a murder case against a relative of the petitioner bearing Parbatta P.S. Case No.73 of 2013. The petitioner has been languishing in custody since 21.12.2016.

On the other hand, learned APP for the State, vehemently opposing the bail petition, has submitted that the victim in his statement recorded under Section 164 Cr.P.C. has specifically stated that the petitioner had kidnapped him along with other persons on way to his house and demanded ransom of Rs.15,00,000/- in lieu of his release. Hence, he does not deserve bail.

In the facts and circumstances, the prayer for bail of the petitioner is hereby rejected.

However, the learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within a period of six months from the date of commitment of the case and the Superintendent of Police, Khagaria is directed to ensure production of the witnesses in the case on each and every date fixed without fail. It is submitted at the bar that the



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case has not been committed as yet. Hence, learned Magistrate concerned is directed to commit the case forthwith.

Let a copy of this order be communicated to the Superintendent of Police, Khagaria by fax for needful.

(Prakash Chandra Jaiswal, J)

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