

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57723 of 2017

Arising Out of PS.Case No. -421 Year- 2017 Thana -SIWAN CITY District- SIWAN

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1. Prabhunath Shahani @ Prabhunath Sahani, S/o Late Hira Sahani,
2. Basanti Devi W/o Sri Lal Babu Mallah , Both are R/o Village- Basantpur,
P.S.- Mirganj, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Pandey

For the Opposite Party/s : Mr. Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 18-01-2018 Heard learned counsels for the petitioners and the State.

The petitioners, already in custody, seek bail in connection with Siwan Town P.S.Case No. 421 of 2017 registered under Sections 364A, 302 and 201/34 of the Indian penal Code.

Allegation in brief is that informant's 11 years old boy was kidnapped by some unknown persons and demand of ransom was made from mobile no. 7781952849 and from another mobile no. 9170388860. Later on police apprehended one Dhanajay Prasad @ Bhajju and recovered the said SIM No. from which ransom call was made along with mobile bearing IMEI NO., in which said SIM was used and he disclosed the name of involvement of other accused persons in this case alleging that kidnapped boy was brought to the house of Raj Kishore Singh, Lalbabu Mallah, his wife Basanti Devi and his father Prabhunath Sahani brought



plastic bag and rope, thereafter Lalbabu Mallah, Dipu Singh and Azad Ali killed the boy by strangulation and disposed of the dead body by throwing it by the side of the road.

Learned counsel for the petitioners submits that petitioners have not made any ransom call and except the confessional statement made by the Dhananjay Prasad regarding participation of the petitioners, there is no other materials and they are in custody since 13.08.2017.

Learned counsel for the State submits that there is no enmity of the petitioners with Dhananjay Prasad or any motive for falsely implicating these two petitioners.

Having considered the aforesaid facts and circumstances of the case as well as the nature of offence and disclosure of the names of petitioners by person who made demand of ransom, the prayer for bail of the petitioners is rejected.

However, trial court is directed to expedite the trial and conclude the same preferably within a year. If trial is not concluded within stipulated period, petitioners may renew prayer for bail.

(Arun Kumar, J)

Sujit/-

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