

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47715 of 2018

Arising Out of PS.Case No. -40 Year- 2018 Thana -PATLIPUTRA District- PATNA

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1. Abhinash Kumar @ Avinash Kumar, S/o Sri Gauri Shankar Chauhan,
R/v- Piparpatti, P.S.- Nawada Town, Distt- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-09-2018

Heard the parties.

The petitioner seeks regular bail in connection with Patliputra P.S.Case No. 40 of 2018, G.R. No. 905 of 2018 and Sessions Trial No. 366 of 2018, registered for the offences under Section 364(A) of the Indian Penal Code.

Allegation as per F.I.R. against the petitioner is that the informant is the brother of the victim boy, who has alleged in his written complaint that his brother has been kidnapped in the way of school by unknown persons and also demanded Rs. 1.50 crores as rangdari.

Submission of the learned counsel for the petitioner is that during investigation it has been found that the petitioner is neither named in the F.I.R. nor any recovery has been made from his possession and he was dragged in the case merely on the basis of suspicion without any cogent material and one Md. Waqar



Ashraf @ Aamir has been granted bail vide order dated 19.09.2018, passed in Cr. Misc. No. 39994 of 2018. It has further been submitted that the petitioner is in custody since 07.02.2018.

Heard learned A.P.P. also who opposed the prayer for bail stating that though the petitioner is not named in the F.I.R. but the name of the petitioner transpires during course of enquiry and when police party reached near the house of one Sudhir Kumar where he disclosed the name of Saurabh Kumar @ Sunny and confessed his guilt and on the basis of disclosure, the victim boy was recovered from the house of accused Sudhir Kumar and the victim boy tied his leg with iron chain and other accused persons also found keeping the vigilant of the victim boy.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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