

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34035 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

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VINAY KUMAR SRIVASTAVA S/o Upendra Srivastava @ Upendra Lal R/o
village- Karamnasha, P.S.- Durgawati, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parwej Khan

For the Opposite Party/s : Mr.Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 17-08-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Mohania P.S. Case No. 43 of 2019, registered for the offence
punishable under Section 364(A) of the Indian Penal Code.

The allegation is regarding the daughter of the informant
having gone to attend her computer class, however, she did
not return and in the evening, the informant received call
from unknown person that his daughter has been kidnapped.

The learned counsel for the petitioner has submitted that
the petitioner has been falsely implicated in the present case
and he has been languishing in custody since 29.1.2019. It is
further submitted that co-accused person has already been
granted bail by a coordinate Bench of this Court by an order



dated 1.5.2019 passed in Criminal Miscellaneous No. 19875 of 2017.

I have heard the learned counsel for the parties and I find from the statement made by the victim girl under Section 164 Cr.P.C. before the learned Magistrate that she has fully supported the prosecution case and has further submitted that the petitioner had kidnapped her and had also demanded a ransom of Rs. 11 lakhs from her father, however, she was rescued by the police. Thus, it is apparent that the petitioner is prima facie involved in the alleged crime. As far as the grant of bail to the co-accused person, namely, Nisha Kumari is concerned, she has been granted bail by a coordinate Bench of this Court considering the fact that she is an unmarried girl and her case stands on a different footing from the petitioner herein.

This Court is of the opinion that the complicity of the petitioner in the alleged crime is writ large from the records, hence, it would not be appropriate to grant bail to the petitioner herein, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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