

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34322 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- RAMGARHWA District- East Champaran

GUDDU GIRI, aged about 26 years, Male, S/o Late Harinath Giri Resident of
Village- Amwa Tonwa, P.S.- Jharokhar, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

5 17-08-2019 Heard learned counsel for the petitioner as well as learned
Additional Public Prosecutor.

Two kids namely Kunal Bharti, son of informant along with Prince Kumar, son of Rajesh Giri were kidnapped. Subsequently thereof, as is evident from Para-11 of the case diary, ransom was demanded. Then, police got the C.D. and then, apprehended one Paramjit (Para-17), who made inculpatory extra-judicial confessional (Para-18) wherein he had disclosed that in the background of dispute in between the informant and Rajesh Bann, wife of Rajesh Bann, who was soft to him shown the plan whereunder both the kids were kidnapped by the petitioner Guddu Giri, who happens to be relative of the Rajesh Bann and then, both the kids were separated. In the aforesaid background, apprehended Rinku Devi, mother of Prince Kumar (Para-24), who made inculpatory extra-judicial confessional statement and then, as she pointed out, there was raid (Para-28) and



during course thereof, petitioner Guddu Bharti along with Md. Kalam were apprehended along with Kunal Bharti, son of the informant. Then thereafter, mobile etc. recovered from his possession, his extra-judicial confessional statement is also there and in the aforesaid background, the house of Gul Mohammad was raided, who till then, escaped from his house, but Prince Kumar has been recovered. Both the victims were, before examination under Section 164 of the Cr.P.C., handed over to their parents and then thereafter, as is evident from Paras-59, 60, their statements have been taken under Section 164 Cr.P.C. In usual phenomenon as Guddu Giri (Petitioner) was in visiting term, Prince Kumar deposed to some extent in favour of the petitioner, but he also disclosed that it was the petitioner, who took away both of them and then, is the statement of another victim Kunal Bharti, son of informant Para-60, who detailed and further, who also disclosed that they were threatening that he will be murdered. When he used to wet, his mouth was gagged.

Considering the same, prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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