

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48886 of 2018**

Arising Out of PS. Case No.-345 Year-2016 Thana- JOGAPATTI District- West Champaran

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Izhar Alam S/o Jumma Devan, R/o Vill.- Fatepur, (Phatepur), P.S.- Jogapatti,  
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Parmanand Prasad

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

4      02-01-2019                      Heard Mr. Umesh Chandra Verma, learned counsel  
for the petitioner and learned A.P.P.

Petitioner seeks bail in Jogapatti P.S. Case No.345 of  
2016 registered under Section 364A of the Indian Penal Code.

The informant alleged that he got call from mobile  
no.8083271734 and the caller demanded ransom of Rs.5 lacs. In  
the event of failure to pay the ransom, they threatened the  
informant to kill the boy.

Learned counsel for the petitioner submits that the  
petitioner is not named in the F.I.R. During the course of  
investigation, the boy was recovered. The victim boy made  
statement under Section 164 Cr.P.C. but did not disclose the  
name of the petitioner. During the course of investigation,  
Manish Kumar was apprehended and on his confession, name of



the petitioner and other accused persons surfaced, on such, petitioner and other accused persons were apprehended and on their disclosure victim boy was recovered. It is further submitted that Manish Sah @ Manish Kumar, Nasrullah Sah @ Nasrulah, Anil Kumar have already been enlarged on bail. The trial has not yet been concluded but it appears from perusal of the record that the father of the victim alleged that his son was kidnapped for ransom and on the basis of the disclosure made by Manish Kumar after being arrested by the police, he disclosed the name of the petitioner and other accused persons. The police also arrested the petitioner and Amaluddin Dewan. The petitioner confessed his guilt and in pursuance thereof, the victim boy was recovered from Motihari Railway Station. The mobile from which ransom was demanded was recovered from the possession of Sonu Kumar. It appears that Manish was granted bail on the ground that no case under Section 364A is made out rather the case falls under Section 366A of the I.P.C. but it appears that it is a case of kidnapping of a minor boy for realising ransom and charges have already been framed, therefore, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer for bail of the petitioner is rejected.

The trial court is directed to hold the trial on day to



day basis and conclude the trial within nine months from the date of receipt of this order.

S.P., Bettiah, West Champaran is directed to ensure the attendance of the prosecution witnesses in trial court so that the trial must be concluded within nine months.

Let this order be sent in trial court as well as S.P., Bettiah, West Champaran for information and needful.

**(Prabhat Kumar Jha, J)**

Saurabh/-

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