

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70830 of 2018

Arising Out of PS. Case No.-222 Year-2017 Thana- CHHAURADANO District- East
Champaran

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Md. Arsad Saifi @ Arsad Ali @ Md. Arsad Ali Son of Samsuddin, Resident of
Village- Hiramani, P.S.- Chhauradano, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 21-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 13.8.2018
in a case registered for the offences punishable under
Sections 364A/34 of the I.P.C.

The prosecution case as per the written report of Manju
Devi submitted to the SHO, Chhauradano Police Station is to
the effect that on 22.9.2017, when till 8.30 P.M., the husband
of the informant namely Basant Lal Prasad did not return
from his shop then at 9.30 P.M., the informant rang up his
mobile phone, then some body conveyed that her husband
has met with an accident and they are taking him to Patna for
treatment. Thereafter, co-villager of the informant namely
Dinesh Sah conveyed that the husband of the informant has



been kidnapped by 6-7 white coloured Scarpio vehicle borne miscreants. Subsequently, the extortion of Rupees Twenty Lacs was demanded from the informant.

It is submitted by learned counsel for the petitioner that the petitioner took a loan from the victim, as a result, in the statement under Section 164 Cr.P.C. he has named the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. It is further submitted that the investigation has already been concluded.

Learned counsel for the informant and learned APP submit that the victim was recovered by the police and in the statement under Section 164 Cr.P.C., the victim described 6-7 persons boarded in Scorpio vehicle and out of those persons, the victim identified four persons including the petitioner. It is further submitted that chargesheet has also been submitted in a theft case registered for the theft of alleged Scorpio vehicle.

Considering the nature of accusation and the identification of the petitioner by the victim, this Court is not inclined to grant bail to the petitioner in connection with Chhauradano P.S. Case No.222 of 2017 pending in the Court



of the learned CJM, East Champaran at Motihari.

This application is, accordingly, dismissed.

However, let the trial be expedited.

(Dinesh Kumar Singh, J)

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