

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44243 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- PUSA District- Samastipur

Shashi Ranjan Thakur Son of Awadhesh Thakur Resident of Village - Repura,
P.S.- Waini, District- Samastipur. (Owner of Mobile no. 8789197426)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv.
		Mr. Pramod Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Mukeshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

5 19-09-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends his arrest in connection with
Pusa P.S. Case No. 39 of 2019 registered for the offence
punishable under Sections 364-A, 34 of the Indian Penal Code.

Grandson of the informant, namely, Harsh Pratap
Singh is said to have been kidnapped by some unknown
miscreants while he had gone to appear in the examination in
the school. Thereafter, some unknown miscreants made ransom
call of Rs. 15 lac on the mobile phone of his another grandson,
namely, Krishna Pratap Singh by mobile phone no. 8789197426
and mobile phone no. 9931425952.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.



He is not named in the FIR. There is nothing on record indicating complicity of the petitioner in the occurrence. Victim in his statement recorded under Section 164 Cr.P.C. has not named the petitioner in the occurrence. Petitioner is known to the family from before but the informant has not named the petitioner in the occurrence, which creates doubt about complicity of the petitioner. The victim was recovered on the same day of occurrence. Petitioner has no criminal antecedent, hence, he may be enlarged on bail.

Per contra, learned counsel for the State opposing the bail prayer of the petitioner submitted that after kidnapping of the grandson of the informant, ransom of Rs. 15 lac was demanded in lieu of his release by the mobile no. 9931425952 and mobile no. 8789197426. During the course of investigation, it was found through the CDR of the aforesaid mobile phones that the location of the said mobile phones was found in the vicinity of the place of occurrence at the time of occurrence and mobile phone no. 8789197426 is hailing to the petitioner and by the said mobile interaction was made with the grandson of the informant Krishna Pratap Singh by the said mobile holder four times on 20.04.2019, hence, he does not deserve bail.

In the facts and circumstances of the case, I am not



inclined to enlarge the petitioner on bail. Accordingly, his prayer is rejected.

However, petitioner is directed to surrender before the court below within six weeks and seeks regular bail and learned court below shall pass order on the very date of his surrender in accordance with law considering the facts and circumstances of the case without being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

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