

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63063 of 2018**

Arising Out of PS. Case No.-41 Year-2018 Thana- BARIYARPUR District- Munger

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Aakash Kumar @ Gautam Govind, Son of Krishnanand Yadav, Resident of
Village/Mohalla- Paniyalchak, P.S.- Naya Ram Nagar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

11 03-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bariyarpur P.S. Case No. 41 of 2018, registered under
Sections 364A/34 and 120B of the Indian Penal Code, pending
in the court of Chief Judicial Magistrate, Munger.

The accusation is that in the evening of 14.04.2018,
Ravi Raj, son of the informant, left his house with friends Akash
Kumar and Nishant Kumar boarding on motorcycle but after
passing over twenty minuets, his son did not return and mobile
of his son was switched off. Thereafter, at 10.30 P.M., in the
night, he received information on his mobile that his son, Ravi
Raj, has been kidnapped and also made demand of



Rs.15,00,000/- as ransom. The person, who was talking on the mobile of informant, disclosed his name as Akash Kumar. Informant further alleged that few days back, he had sold a piece of land to another person due to that reason Sumo Yadav threatened his son. The informant raised suspicion against Akash Kumar (petitioner) and Sumo Yadav having hand in the kidnapping of his son, Ravi Raj, for ransom.

Learned counsel for the petitioner submits that after recovery of victim, son of the informant, his statement was recorded under Section 164 of the Cr.P.C., in which, he stated about his kidnapping by the petitioner and Sumo Yadav but later on, he gave an application before the trial court to the effect that his statement was recorded under section 164 of the Cr.P.C. on the pressure of the police.

Learned A.P.P. appearing for the state opposed the prayer for pre-arrest bail of the petitioner and submits that the victim was recovered from the house of the petitioner in course of investigation.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands



rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

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(Rajendra Kumar Mishra, J)

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