

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46428 of 2019

Arising Out of PS. Case No.-134 Year-2013 Thana- SAHARSA District- Saharsa

Manohar Yadav Son of Ramchandra Yadav @ Ramchandrar Yadav Resident of
Village-Bijalpur, Bakaur, Ward No.4, Police Station-Supaul, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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

ORAL ORDER

3 21-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Saharsa Sadar P.S. Case No. 134 of 2013 registered for the
offence punishable under Sections 364/34 of the Indian Penal
Code.

One Kundan Kumar is said to have extended
threatening to son of the informant over not taking coaching in
his coaching institute by him. His son has been kidnapped by
some unknown miscreants while he had gone out of his house in
connection with some work.

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. In the protest petition filed by the
informant, he has also not named the petitioner in the



occurrence. No motive behind the occurrence has been attributed to the petitioner. Petitioner has no criminal antecedent, hence, he may be enlarged on bail.

Per contra, learned APP for the State opposing the bail prayer of the petitioner submitted that witnesses in paragraphs 79, 80 and 81 of the case diary which were recorded subsequent to filing of protest petition, have unanimously stated that the petitioner along with other accused persons have taken money for ransom for release of the victim but, even then, they have not released the victim, hence, the petitioner does not deserve bail.

Having regard to 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 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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