

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58012 of 2019

Arising Out of PS. Case No.-330 Year-2013 Thana- SAHARSA District- Saharsa

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SHAMBHU PODDAR @ SHAMBHOO PODDAR Son of Guddi Poddar @
Satya Narayan Poddar, Resident of Village- Khochardeva, Salkhua, District-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Debesh Kumar Poddar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-12-2019 Heard both sides.

Petitioner seeks bail in Saharsa P.S. Case No.330 of
2013 registered under Sections 363 and 365 of the IPC.

The informant lodged the case against unknown
alleging therein that his son had gone to purchase books but he
did not return.

Learned counsel for the petitioner submits that the
victim returned after 28 days of the occurrence and he made
statement under section 164 of the Cr.P.C. The victim disclosed
that it was the petitioner, who had taken him from Saharsa and
confined him in a room for 28 days but somehow the victim
found the key of the room in which he was locked and after
unlocking the room, the victim fled away. The victim also



disclosed that the petitioner asked the victim to call his father and demand money for releasing him, but it does not inspire confidence. The petitioner is not alleged to have exhorted any pressure or assaulted the victim to call his father for payment of ransom. The petitioner is in jail since 28.05.2019.

Having considered the facts that of course the victim named the petitioner in his statement under section 164 of the Cr.P.C. but the victim did not disclose the fact that the petitioner ever tortured him or forcibly confined him in a room for the purpose of ransom and the petitioner has already remained in jail for about six months, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of like amount each to the satisfaction of C.J.M., Saharsa in connection with Saharsa P.S. Case No.330 of 2013.

(Prabhat Kumar Jha, J)

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