

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14225 of 2020**

Arising Out of PS. Case No.-24 Year-2020 Thana- RAMKRISHNANAGAR District- Patna

Sunny Kumar @ Rohit Kumar, Aged about 23 Years, Male, Son of Kamal Kumar , Resident of Village - Pulpar, Biharsharif, Hajipur, P.S.- Biharsharif, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arvind Prasad Singh

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

5      22-06-2020                      Heard Mr. Arvind Prasad Singh , learned counsel for the petitioner and Mr. Uma Shankar Prasad Singh, learned Additional Public Prosecutor appearing for the State through video conferencing.

The petitioner seeks regular bail in connection with Ram Krishna Nagar P.S. Case No. 24 of 2020 registered for the offence punishable under Section 364/364(A) of the Indian Penal Code, 1860.

The allegation against the petitioner as per the First Information Report lodged by one Mohit Kumar is that he along with his friend namely, Vikash Kumar was engaged in Cyber crime through mobile and laptop. It has further been alleged that petitioner along with other accused persons on the date of



occurrence i.e. on 13.01.2020 kidnapped the informant along with his friend and put them in Scorpio vehicle and proceeded towards Nalanda and told them that the informant and his friend have withdrawn Rs. 50,000/- from their ATM. It has further been alleged that the accused persons asked the informant and his friend to make a call to his parents to pay a sum of Rs. 3,00,000/- as ransom and upon reaching Nalanda the accused collected Rs. 3,00,000/- from the parents of informant. It has also been alleged that in the meanwhile Police arrived and one person sitting on the Scorpio was arrested and other accused persons succeeded in fleeing away. The informant has further alleged that the lock of the tenanted room of the informant was also cut through gas cutter and one laptop, mobile and KTM motorcycle were taken away by the accused persons.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to oblique motive. Learned counsel submits that petitioner has not committed any offence in the manner alleged. Referring to supplementary affidavit, learned counsel submits that petitioner is a student and studying in 10 + 2 in Nalanda Collegiate +2 School. Learned counsel further submits that petitioner started preparing for competitive examination and during this period he



started home tuition as a Home Tutor. Learned counsel also submits that no incriminating material has been recovered from the petitioner inasmuch as from perusal of the First Information Report it would be evident that ransom amount was paid by the parents of the informant but at the time of arrest and preparation of seizure list, no cash was received from the possession of the petitioner. Learned counsel further submits that similarly situated accused persons namely, Vikash Kumar and Shibu Kumar have been granted anticipatory bail by learned A.D.J.-XII, Patna in A.B.P. Nos. 970 of 2020 & 969 of 2020 respectively. Learned counsel submits that except the confessional statement of the petitioner before Police, no material has come against the petitioner during the course of investigation.

Having regard to the submissions made by the parties and taking into consideration the materials available on record , the fact that no incriminating material has been recovered from the possession of the petitioner at the time of his arrest and further petitioner is a student, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna in connection with Ram Krishna Nagar P.S. Case No. 24 of 2020 subject to the following conditions:-

(i) that one of the bailors shall be the father of the petitioner.

(ii) that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

**(Anil Kumar Sinha, J)**

praful/-

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