

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17077 of 2020

Arising Out of PS. Case No.-186 Year-2018 Thana- RAMKRISHNANAGAR District- Patna

PAWAN KUMAR @ PAWAN Son of Arjun Prasad Resident of Village -
Satisthan Masaurhi, P.O.- Masaurhi, P.S.- Mausaurhi, Dist.- Patna.

The State of Bihar

Versus

... .. Petitioner/s

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr. R.P.S.Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 26-08-2020 Heard Mr. Manish Chandra Gandhi, learned
counsel for the petitioner as well as Mr. Ram Priya Sharan
Singh, learned Additional Public Prosecutor for the State
through video conferencing.

Petitioner seeks bail in connection with Sessions
Trial No. 842 of 2019 (arising out of Ramkrishna Nagar P.S.
Case No. 186/2018) registered for the offences punishable
under Sections 365/363 of the Indian Penal Code.

Petitioner is named in the first information report
with accusation that he took the informant's minor son from
the house of the informant. In course of investigation,



petitioner was arrested and confessed his guilt leading to recovery of dead body of the kidnapped boy from a pond.

Submission on behalf of the petitioner is that, petitioner happens to be brother-in-law of the informant and the relation of the petitioner with his wife as well as informant was not cordial much prior to institution of the present case. Petitioner had given petition before the court below apprehending his false implication in criminal case. He, further, submits that police claimed to have seized the mobile phone of the petitioner that highlighted one message in which petitioner had used filthy language against the informant. He submits that the aforesaid fact, clearly, goes to show that the relation of petitioner with informant was not cordial and, furthermore, the aforesaid fact goes to show that the claim of the informant that petitioner had stayed at the house of the informant on the alleged date of occurrence was totally false and wrong.

On the other hand, learned Additional Public Prosecutor, vehemently, opposed the bail.

Considering the facts and circumstances of the case as well as submissions of the parties, I am not inclined to release the petitioner on bail and, accordingly, his prayer for



bail stands rejected.

However, the trial court should expedite the trial of
the petitioner.

(Hemant Kumar Srivastava, J)

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