

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19870 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- PATLIPUTRA District- Patna

ANKIT KUMAR @ SARKAR Son of Ravi Bharti Resident of Village - Flat No.54 B, CDA Colony, North Shastri Nagar, L.B.S. Nagar, P.S.- Shastri Nagar, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Samir Kumar
For the State	:	Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 03-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case for the offence registered under Sections 365 & 120(B)/34 of the Indian Penal Code.

Prosecution case in short is that son of the informant, namely Manish Kumar was kidnapped while he had gone to appear in IIT examination at Patliputra.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 14-01-2020. The petitioner has been falsely implicated in the present case. The petitioner is not named in the FIR.



His name has come in this case in course of investigation. There is no material in the statement of the victim recorded under Section 164 Cr.P.C. to suggest that the petitioner had kidnapped the victim nor there is any eye witness on the point of abduction of the victim.

On behalf of the State, it is submitted that the victim has been recovered and his statement under Section 164 Cr.P.C. has been recorded. The victim in his statement recorded under Section 164 Cr.P.C. has named the petitioner as one of the persons who had kidnapped him along with other persons.

Considering the nature of allegation and the statement of the victim recorded under Section 164 Cr.P.C., I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Patliputra P.S. Case No. 17 of 2020 is rejected.

The learned court below is directed to take all possible steps to conclude the trial of the petitioner preferably within a period of ten months from the date of receipt/production of copy of the order.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

