

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27123 of 2020

Arising Out of PS. Case No.-132 Year-2020 Thana- JAYNAGAR District- Madhubani

SANTOSH KUMAR YADAV Son of Brijlal Yadav Resident of Village -
Arraraha Kamlabari, P.S. - Jaynagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-12-2020 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 Jaynagar P.S. Case No.
132/2020 instituted for the offences under Section 364 of the
Indian Penal Code and section 27 of the Arms Act.

The prosecution case in short is that the accused
person armed with kidnapped one employee of informant’s
company.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 27.04.2020 and has got no



criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confession of co-accused namely Nand Lal Yadav. Except for suspicion, there is no other substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R. It is further submitted that as per confession of the co-accused Nand Lal Yadav, the victim was put to illegal confinement in the house of the petitioner. The victim, in his Section 164 Cr.P.C. statement has also stated that he was put to illegal confinement in a house of a person but he did not know his name as his face was covered. The victim happens to be supervisor of B.S.C.P.L. company.

Considering the aforesaid facts, I am not inclined to grant bail to the petitioner at this stage. The prayer is rejected.

(Sudhir Singh, J)

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