

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27302 of 2020**

Arising Out of PS. Case No.-5 Year-2020 Thana- GHOSWARI District- Patna

CHHATU SAW @ CHHATTHU SAW Son of Late Janki Saw Resident of
Village - Makhdumpur, P.S.- Amhara, District - Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 21-12-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Ghoswari P.S. Case No. 05/2020 registered for the offences punishable under Section 364(A), 34 of the Indian Penal Code, pending in the court of learned Judicial Magistrate - 1st Class, Barh, Patna.

Learned counsel for the petitioner submits that as per allegations, the son of the informant was kidnapped on 14.01.2020, later on he got a mobile call demanding a sum of Rs. 10 Lakhs for return of his son. On the basis of the mobile call police arrested a co-accused Ram Nivas Kumar who happens to be the sister's son of this petitioner. The said Ram Nivas Kumar confessed his guilt and on his disclosure the



victim boy was recovered from the house of this petitioner.

Learned counsel for the petitioner submits that the petitioner is aged about 76 years and in fact he had allowed his Bhagina Ram Nivas Kumar to stay in the house, on his disclosure that he will go on the next day. On the next day police raided his house and the victim boy was recovered.

Mr. Dayal, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the petitioner is involved in commission of the offence inasmuch as he had concealed the kidnapped boy in his house and in his confessional statement as stated that he had given some allurement to this petitioner in lieu of allowing him to stay in the village with the victim boy.

Having regard to the facts and circumstances of the case, wherein it is evident from the materials on the record that the kidnapped boy was recovered from the house of this petitioner and his own Bhagina was involved in kidnapping, recovery has been made from the house of this petitioner, this Court is not inclined to grant him privilege of regular bail of the petitioner.

Prayer for regular bail of the petitioner is, thus, refused.



Let the trial be expedited.

The trial court is expected to conclude the trial within six months. The prosecution must cooperate in course of trial.

In case, the trial is not concluded within six months for no reason attributable to the petitioner, considering the age of the petitioner, liberty is granted to him to renew the prayer for bail.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

