

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28858 of 2020

Arising Out of PS. Case No.-136 Year-2019 Thana- GAURICHAK District- Patna

VIMLESH KUMAR Son of Rajeshwar Singh Resident of Village - Chandasi,
P.S.- Gaurichak, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dhirendra Kumar Sinha, Adv.
For the Opposite Party/s	:	Ms. Anita Kumari Singh, APP
For the Informant	:	Md. Basi Akhtar, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner, the learned APP for the State, Ms. Anita Kumari Singh and Md. Basi Akhtar, the learned counsel appearing for the informant.

The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with Sessions Trial No. 837 of 2019 arising out of Gaurichak P.S. Case No. 136 of



2019 under Sections 364(A)/34 of the Indian Penal Code inasmuch as the earlier petition filed by the petitioner for grant of bail was rejected by a coordinate Bench of this Court vide order dated 26.02.2020 passed in Criminal Miscellaneous No. 47452 of 2019.

The allegation is regarding the petitioner having kidnapped the minor son of the informant for the purposes of ransom.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 20.03.2019 and though the charges have already been framed but the trial is not progressing and there is no possibility of completion of the same in near future, hence, the petitioner be granted the privilege of bail.

Per contra, the learned APP has vehemently opposed the prayer for bail.

The learned counsel for the informant, Md. Basi Akhtar, has submitted that it is not correct to state that the trial is not progressing and in fact, four out of five prosecution witnesses have already



been examined by the learned trial court. It is further submitted that the petitioner is accused of committing a heinous crime of kidnapping for the purposes of ransom.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that there is no change in circumstance from the day the prayer of the petitioner for grant of regular bail was rejected earlier, till date, so as to warrant reconsideration of the prayer of the petitioner for grant of regular bail as also considering the fact that the petitioner is accused of committing a heinous crime of kidnapping for the purposes of ransom, I do not find any merit in the present case, hence, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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