

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78956 of 2019

Arising Out of PS. Case No.-664 Year-2019 Thana- MADHEPURA District- Madhepura

1. MANISH KUMAR @ MANISH YADAV Son of Late Yogendra Yadav Resident of Village - Sitwaha, P.S.- Salkhua, Distt.- Saharsa.
2. Paplesh Kumar @ Paplesh Yadav Son of Shyam Sundar Yadav Resident of Village - Arrah, Ward No.07, P.S.- Sour Bazar, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 28-05-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioners seek bail in Madhepura P.S. case No. 664 of 2019 registered under Section 364(A), 34 of the Indian Penal Code.

The informant alleged that on 01.08.2019 his father was going to Madhepura from Saharsa at his Bajaj Auto show room. Suddenly, at about 1 P.M., the informant got call from mobile No. 8709715237 at his mobile No. 7004823641 and his father asked him to manage Rs. 1,50,000/- thereafter the mobile was switched off. During the course of search, the informant



came to know that four persons on two motor cycles kidnapped his father and took him towards Saharsa.

Mr. Pramod Mishra, the learned counsel for the petitioners, submits that the victim was recovered a day after the occurrence from the house of petitioner No. 1, Manish Kumar. It also transpired that call was made from the mobile of Manish Kumar on the mobile of informant but there is no allegation of kidnapping against Paplesh Kumar, petitioner No.2. Both the petitioners are in custody since 03.08.2019 and the case has been compromised. It is submitted that on account of business rivalry the case has been lodged and since good since prevailed among the parties compromise petition is filed but it appears from perusal of the records that it is a case of kidnapping for ransom. Immediately after the occurrence the police chased the abductors and only one day after the occurrence the victim was recovered from the house of petitioner No.1, Manish Kumar. The petitioner No.2 was also found present in the house. It also transpired that from the mobile of petitioner No1 call was made on the mobile of the informant and the victim, father of the informant, was forced to ask his son to manage Rs. 1,50,000/- as ransom for his release.

Taking into consideration the facts aforesaid, I am



not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial, hold the trial on day to day basis and conclude the same within six months from the date of receipt of this order.

The Superintendent of Police, Madhepura is directed to ensure the attendance of prosecution witnesses in the trial court so that the trial must be concluded within six months.

Let a copy of this order be sent to the trial court as well as the Superintendent of Police, Madhepura for information and needful.

If the trial is not concluded within six months, if so advised, the petitioner may renew his prayer for bail firstly before the trial court.

(Prabhat Kumar Jha, J)

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