

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22585 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- BAUSI District- Purnia

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1. AMIT KUMAR @ AMIT KUMAR SINGH Son of Awdhesh Mehta Resident of Village - Jhitkia, P.S.- Korha, Distt.- Katihar.
 2. Sumit KUMAR Son Awadhesh Mehta Resident of Village - Jhitkia, P.S.- Korha, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Nath Singh, Advocate
Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 29-11-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for regular bail arises out of Baisi P.S. Case No. 268 of 2020, disclosing the offences punishable under Sections 364-A/120-B of the Indian Penal Code.

The petitioners are full brothers. Allegedly, on 30.10.2020, the victim was kidnapped and demand for ransom was made. With the intervention of police, the victim was recovered. It is evident from the case diary that these petitioners were found present at the place from where recovery of the victim was made. They were accordingly apprehended.

Mr. Amar Nath Singh, learned counsel appearing on



behalf of the petitioner has submitted that though the petitioners are known to the victim, the victim did not disclose the names of these petitioners in his statement recorded under Section 164 of the Cr.P.C., and, therefore, their complicity appears to be wrongful. He has also submitted that the petitioners are in custody since the date of their arrest.

Considering the seriousness of the offence and apprehension of these petitioners by the police from the place of occurrence, in my opinion, for the present no case for grant of regular bail is made out.

This application is accordingly rejected.

The petitioners shall, however, be at liberty to approach this Court after six months if, in the meanwhile, there is no substantial progress at the trial.

(Chakradhari Sharan Singh, J)

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