

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1028 of 2021

Arising Out of PS. Case No.-726 Year-2019 Thana- KHAJANCHI HAT District- Purnia

SHUBHAM KUMAR @ NAGRAJ SON OF ANAND YADAV RESIDENT
OF VILLAGE- MARANGA WEST, P.S.- K. HAT, DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mrs. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 30-06-2021 Heard Mr. Bhola Prasad, learned counsel for the

petitioner and Mrs. Asha Kumari, learned counsel appearing for

the State through video conferencing.

Petitioner seeks regular bail in connection with K. Hat
(Maranga) P.S. Case No. 726 of 2019 registered for the offence
under Section 364(A) of the I.P.C.

The prosecution story is that the informant, who is
Principal of Dajling Public School, Maranga, district- Purnea
alleged that the Director of the School received a call on his
mobile from mobile no. 7479409974 and the caller told that one
child of the hostel of the School has been kidnapped and
demanded a sum of Rs. 20 Lakhs as ransom.

Learned counsel for the petitioner submits that
petitioner is not named in the First Information Report and he



has been implicated in this case on the basis of the confessional statement made by the co-accused / Bhaskar Kumar and Anup Kumar who allegedly made confessional statement before the Police that petitioner had participated in the kidnapping of the victim boy from the hostel of the School and lifted the victim from his hostel room along with co-accused / Bhaskar Kumar. Learned counsel next submits that the co-accused / Bhaskar Kumar is a student of the same School but after recovery the victim boy has not disclosed the name of Bhaskar Kumar and in his statement recorded under Section 164 of the Cr.P.C. he has mainly said that he was kidnapped by two unknown persons. Learned counsel next submits that Bhaskar Kumar and Anup Kumar have been granted bail by the court below itself. Learned counsel further submits that one mobile phone allegedly recovered from the Kamat (hut) of the father of the petitioner is not the same mobile phone the number of which has been mentioned in the F.I.R.

On the other hand, learned counsel for the State referring to the case diary submits that name of petitioner has transpired in the confessional statement of the co-accused and one mobile phone has been recovered from the Kamath (hut) of the father of the petitioner as such he does not deserve the



privilege of bail.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that other co-accused persons have been granted bail by the court below itself and the mobile phone which has been recovered from the Kamath (hut) of the father of the petitioner is not the same mobile phone the number of which has been mentioned in the First Information Report and the petitioner is in custody since 22.06.2020 , I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with K. Hat (Maranga) P.S. Case No. 726 of 2019.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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