

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4042 of 2022

Arising Out of PS. Case No.-455 Year-2021 Thana- JOKIHAT District- Araria

Mantu @ Md Sarwar Alam @ Sarwar, Son of Sabir Resident of Village -
Bairgachhi, P.S.- Araria (Bairgachhi), Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Ziaul Quamar, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 09-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Jokihat P.S. Case No. 455 of 2021, registered for the alleged offences under Sections 364 (A) and 120 (B) of the Indian Penal Code.

As per prosecution case, the four year old son of the informant was kidnapped by unknown miscreants. However, the child was recovered and he named this petitioner who enticed him away by giving inducement of chocolate and biscuit and handed him over to the co-accused persons who subsequently demanded ransom amount from the informant.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case on the basis of



disclosure made by a four year old boy. But the petitioner never called the boy and did not kidnap him. The petitioner is a daily-wager who has been working on the land of the informant and for this reason, he has been falsely implicated in this case. The mobile number which was used for demanding ransom does not belong to this petitioner. The child was recovered within 3-4 hours of the occurrence. But the recovery was not made from the place at which the mobile number was traced rather it was from some other place. The petitioner is in custody since 20.09.2021. The charge sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the child was recovered and he named this petitioner who enticed him away by giving inducement of chocolate and biscuit and handed him over to the co-accused persons who subsequently demanded ransom amount from the informant.

Perused the records.

Having regard to the facts and circumstances of the case and considering the specific nature of allegation against the petitioner, which appears to be serious and grave, I am not inclined to enlarge the petitioner on bail at this stage.

Accordingly, his prayer for bail is rejected.

However, learned trial court is directed to expedite the



trial and conclude the same within nine months.

If the trial is not concluded within the aforesaid time,
the petitioner will be at liberty to renew his prayer for bail.

(Arun Kumar Jha, J)

V.K.Pandey/-

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