

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14272 of 2022**

Arising Out of PS. Case No.-182 Year-2021 Thana- ADAPUR District- East Champaran

SATYENDRA MAHTO @ SATYENDRA KUSHWAHA SON OF
SARVDEO MAHTO @ SARWADEV MAHTO RESIDENT OF VILLAGE-
GHORASAHAN, P.S.- HARPUR, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 23-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Adapur
(Harpur) P.S. Case No. 182 of 2021 registered for the offence
under Sections 363 and 365 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.07.2021.

The allegation against the petitioner is to kidnapping
of the sons of the informant for ransom, who was, subsequently
murdered.

Learned counsel appearing on behalf of the petitioner



submitted that due to local differences, the name of the petitioner involved in the present case. It is also submitted that dead-body of the victim is yet to recovered, in furtherance of confessional statement to suggest complicity of petitioner. It is also submitted that petitioner was not even identified by the care-taker of the house, where victim was put in detention. It is also pointed out that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel for the informant, while opposing the prayer of bail, submitted that the witnesses specifically stated during course of investigation that victim was taken on motorcycle by petitioner and co-accused person, while he was playing in a garden. It is also submitted by learned counsel for the informant that the clothes of the petitioner were found in the room, where the victim was put in detention. It is also submitted that since this is not a case of mere “last seen” as the eye-witnesses specifically stated regarding overt act of the petitioner as how victim was kidnapped for undisclosed destination.



In view of the submissions, as made above, as eye-witnesses supported the occurrence of kidnapping of son of the informant, aged about 12 years old, by this petitioner in the background of previous attempt of kidnapping, this Court is not inclined to grant bail to the petitioner, at present.

Accordingly, the prayer of bail of the petitioner is rejected herewith.

Trial Court is directed to proceed with the matter, by taking it on board, on daily basis, so as trial may conclude within 09 (nine) months from the date of receipt of a copy of this order.

Superintendent of Police, East Champaran, is directed to produced the charge-sheeted witnesses, as and when directed by the Trial Court, for expeditious disposal of trial, within specified time, as directed above.

(Chandra Shekhar Jha, J)

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