

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18536 of 2022

Arising Out of PS. Case No.-564 Year-2021 Thana- BASANTPUR District- Siwan

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Dhiraj Thakur Son Of Prabhunath Thakur R/O Village- Karcholia, P.S.-
Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Basantpur P.S. Case No. 564 of 2021 lodged under Sections
365, 386, 387 of the Indian Penal Code.

As per the prosecution case, there is allegation of
kidnapping and demand of ransom in the F.I.R.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that as per the allegation made in the F.I.R. neither
offence of kidnapping nor of extortion are made out. He further
submits that petitioner is in custody since 27.12.2021 and there

is one case pending against the him.

Learned counsel for the State opposes the prayer for bail and submits that as per allegation the demand of ransom of Rs.1 lac is there. He further submits that such allegation is supported by the statement of the alleged victim made in paragraph no.48 of the case diary i.e. statement under Section 161 Cr.P.C. and subsequently in the statement recorded under Section 164 of Cr.P.C. The alleged recovered victim has supported the statement made in the F.I.R. but he has no used the technical word 'kidnapping'.

Considering the facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, but he may renew his prayer after completion of his one year custody, in the mean time learned Court shall frame the charge and release shall be made only and only after framing of charge to his satisfaction putting the conditions so that he will support in the trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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