

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28197 of 2021

Arising Out of PS. Case No.-180 Year-2020 Thana- PURNAHYA District- Sheohar

SHRAWAN KUMAR Son of Shambhu Singh @ Shambhu Kumar Resident
of Village- Kushmari, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bal Mukund Pd. Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 31-03-2022 Heard Mr. Abhishek Kumar, learned counsel for the

petitioners and Mr. Bal Mukund Pd. Sinha, learned Additional

Public Prosecutor for the State.

Petitioner seeks regular bail in connection with
Purnahiya PS Case No. 180/2020 registered for the offence
punishable under Sections 363, 366A, 376 of the IPC.

As per First Information Report, unknown persons
kidnapped the daughter of the informant while she was sleeping
in her room on 20.12.2020 and further demand of ransom of Rs
10 Lacs was made by a caller through Mobile No.8102880805
on the phone of elder brother of the informant.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to some
family dispute and he has not committed any offence in the



manner alleged. He further submits that the mobile number which is mentioned in the FIR was not recovered from the possession of petitioner and there is no material to connect this petitioner with the present offence and the ransom call was not made from the mobile of the petitioner.

On the other hand, learned counsel for the State, referring to the case diary, submits that during course of investigation it has come to light that the mobile phone of one Ankit Kumar was snatched 2-3 days before and on the basis of CDR report it has come that the ransom was made from the mobile of Ankit Kumar bearing Mobile No.8102880805 which was snatched from him and the said mobile has been recovered from the possession of the petitioner at the time of raid made by the police at his house and the girl was recovered therefrom. He further submits that the location and CDR of the mobile suggest that the petitioner was present on the date of occurrence near the house of the informant and the girl was recovered by the police from the petitioner's house and her statement under Section 164 CrPC was recorded in which she has categorically stated that she was forcibly kidnapped by the petitioner. The police after investigation submitted the charge-sheet under Section 364A of the IPC.



Regards being had to the submissions made by the parties and taking into consideration the material collected during course of trial, I am of the opinion that *prima facie* evidence has come against the petitioner to connect him with the present offence. Accordingly, I am not inclined to grant regular bail to the petitioner. The same is, hereby, rejected.

Let the trial be expedited.

(Anil Kumar Sinha, J)

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