

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.41834 of 2021**

Arising Out of PS. Case No.-369 Year-2018 Thana- SAHEBGANJ District- Muzaffarpur

NEERAJ KUMAR TIWARY @ NEERAJ KUMAR TIWARI Son of Late
Virendra Tiwari Resident of Saraiya Baduraha, P.S. Dumariya Ghat, District -
East Champaran.

... .. 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.Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 18-02-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Ram
Sumiran Rai, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Sahebganj P.S. Case No.369/2018 registered for

the offences punishable under Section 364(A) of the Indian

Penal Code. He is in custody since 10.02.2021. The petitioner

has got two criminal antecedent.

As per the First Information Report the allegation

against the petitioner is of kidnapping of a minor boy aged

about 11 years.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner is not named in the FIR and his name has transpired in the confessional statement of the co-accused Ujjwal Kumar. It is submitted that the petitioner is in custody in connection with this case since 10.02.2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the allegation that a 11 years old boy had been kidnapped, name of this petitioner has come as king-pin who had hatched the entire conspiracy to extort ransom from the father of the victim boy, he had obtained sim card in the name of one Chandradeo Ram from which ransom amount was demanded, the name of the petitioner has transpired in the confessional statement of the co-accused, the petitioner has got two criminal antecedents and even though this case is of the year 2018 and some of the co-accused were granted bail in the year 2019, the petitioner remained absconding and has been arrested only on 10.02.2021, this Court is not inclined to release the petitioner on bail at this stage. Prayer for bail is, thus, refused.



Let the trial be expedited.

The learned trial court shall keep the records on shorter dates and all endeavours be made to conclude the trial as early as possible.

If the trial remains unconcluded for no reason attributable to the petitioner within a period of nine months from the date of communication of this order, he may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

