

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55014 of 2021**

Arising Out of PS. Case No.-291 Year-2020 Thana- ASHTHAWAN District- Nalanda

Gopi Kumar @ Kallu Son Of Suresh Prasad @ Suresh Halbai, @ Suresh Prasad Gupta Resident Of Village- Ugawan, P.S. Asthawan, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 06-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 364(A)/34 of the Indian Penal Code.

According to prosecution case, the informant namely Runa Devi mother of the victim submits a written application before the police alleging therein that on 11.12.2020 informant's son namely Bhola Kumar gone to Khandhar near the house for collecting the leaf for got after plunging the leaf of the Pipal tree return the house and again went out of the house but he did not



return then after searched he not found but after two days i.e. on 13.12.2020 in the morning anyone call to my dever and demanding 10 lacks rupees and further stated that child has a safe custody but if the amount has not been paid then kill him.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the present F.I.R. was instituted after two days of alleged occurrence against the Holder of mobile number 7595922668. He further submits that the petitioner is not named in the F.I.R. The petitioner is in custody since 15.12.2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail on the basis of material available on the record and case diary submits that the statement of the victim was recorded under section 164 Cr.P.C. he categorically stated that the petitioner has kidnapped the victim. He further submits that there is direct allegation against the petitioner and during investigation the sufficient material has surfaced against the petitioner which is evident from the case diary.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Asthawan P.S.



Case No. 291 of 2020 pending in the court of learned Additional
Sessions Judge-V, Biharsharif, Nalanda.

Prayer is refused.

(Rajesh Kumar Verma, J)

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