

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50071 of 2021

Arising Out of PS. Case No.-469 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

GUDDU KUMAR Son of Late Vinod Sah Resident of Village - Sitalpatti,
P.S.- Siwaipatti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 54925 of 2021

Arising Out of PS. Case No.-469 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

ROHIT KUMAR SON OF MR. MUNILAL RAI RESIDENT OF VILLAGE-
JIRATI TOLA, P.S.- SAHEBGANJ, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 50071 of 2021)

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

For the Opposite Party/s : Mr. Anand Kishore Chaudhary, APP

(In CRIMINAL MISCELLANEOUS No. 54925 of 2021)

For the Petitioner/s : None

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-03-2022 Heard learned counsel for the parties.

The two petitioners in the two applications have
prayed for grant of regular bail in connection with Sahebganj
P.S. Case no. 469 of 2020 registered under sections 364A, 120B
and 34 of the Indian Penal Code.

As per the prosecution case, the 11 year old son of the



informant was kidnapped. Subsequently the informant received a telephone call on his mobile phone making a demand of ransom to the tune of Rs. 1 crore.

It is submitted by learned counsel for the petitioner that the FIR was registered against the holder of the mobile no. 7352806100. The son of the informant was recovered and his statement was recorded under section 164 Cr.P.C. It is submitted that although the victim has named one person by the name Guddu in his statement, but the same cannot be said to be the petitioner herein and the petitioner has not been put on T.I. parade. The petitioners are in custody since 4.9.2020.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the materials on record, it transpires that the statement of the victim was recorded under section 164 Cr.P.C wherein he stated that the son of his *chachera* maternal uncle, namely, Rohit Kumar (petitioner herein) gave him Rs. 10 and asked him to go and get Rs. 30,000/- from motorcycle borne person. On going near them, he was kidnapped by the two accused persons and the victim identified his two kidnappers to be Guddu (petitioner herein) and Dilip.

So far as the grant of bail to the other co-accused



persons including Ragani, Munilal Rai and Rahul Kumar are concerned, the opinion of the Court is that the case of petitioners are distinguishable from the same.

In the facts of the case, the Court is not inclined to enlarge the petitioners on bail and both the applications are rejected.

The learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

Spd/-

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