

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58014 of 2021

Arising Out of PS. Case No.-644 Year-2016 Thana- BIHTA District- Patna

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Bittu Kumar S/O Ravindra Prasad R/O Village- Jamsaut, P.S.- Shahpur,
Distt.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Sinha, Sr. Adv

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 17-05-2022 Let the defects, if any, be removed within four weeks
from today.

Heard Mr. Krishna Prasad Sinha, learned senior
counsel for the petitioner and Mr. Satyendra Narayan Singh,
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Bihta P.S.Case No. 644 of 2016 for the offences
punishable under Sections 365 of the Indian Penal Code.

As per the prosecution case, the informant alleged that
the accused persons including the petitioner abducted the
informant's brother-in-law namely, Shiv Kumar, while he was
going towards Bihta Market by his motorcycle bearing
registration no. BR-01CU-7886. Subsequently the informant
received a ransom call on his mobile demanding Rs. 9 lacs and



threatened the informant that in case of non fulfillment of demand his brother-in-law would be killed.

It is submitted by the learned senior counsel for the petitioner that petitioner and the informant is related to each other and they were indulged in business of sale and purchase of land.. It is further submitted that one of the co-accused Sonu Kumar has been granted bail by a Bench of this Court. This petitioner is in custody since 30.07.2021 having no criminal antecedent.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that victim has recovered just after the occurrence and his statement was recorded under section 164 of the Cr.P.C before the Judicial Magistrate wherein he has categorically stated that this petitioner has taken active participation in the abduction and on the point of gun he abducted him.

Taking into consideration, the accusation against the petitioner and the statement of the victim recorded under section 164 of the Cr.P.C, this court is not persuaded to enlarge the petitioner on bail and hence his prayer for bail stands rejected.

However, it is expected that the learned trial court will expedite the trial of the petitioner and try to conclude the



same as early as possible. It is also made clear that petitioner is at liberty to renew his prayer for bail after nine months if his trial is not concluded.

(Harish Kumar, J.)

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