

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48376 of 2022

Arising Out of PS. Case No.-376 Year-2022 Thana- SHERGHATI District- Gaya

Chandan Kumar Singh Son Of Sanjay Singh, Resident Of Town- Indira Nagar, P.S.- Sherghati, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 48830 of 2022

Arising Out of PS. Case No.-376 Year-2022 Thana- SHERGHATI District- Gaya

Manish Kumar Son Of Arun Singh, Resident Of Village - Rai Singh College Sherghati, P.S.- Sherghati, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 48376 of 2022)

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

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

(In CRIMINAL MISCELLANEOUS No. 48830 of 2022)

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

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-12-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.Ps. for the State.

The petitioners seek regular bail in connection with Sherghati P.S. Case No. 376 of 2022 lodged under Sections

364(A) and 395 of the I.P.C.

As per prosecution case, kidnapping of truck driver and staff as well as the entire truck were taken by the accused persons who are 7-8 in number. Allegation has been made by the informant that the demand of ransom for release of his staffs were made, negotiation took place in 4 lacs rupees and even after payments neither truck nor staffs were released, then case has been filed.

Learned counsel for the petitioner of Cr. Misc. No. 48376 of 2022 submits that petitioner is innocent and has committed no offence. Counsel further submits that antecedent of the petitioner is clean and he is in custody since 20.05.2022. F.I.R. has been filed against unknown and petitioner has no way concerned with this. The alleged truck was said to be recovered in the hotel and he is said to be the owner of the hotel. He further submits that petitioner has no way related with the said hotel, in this regard he has made specific statement in paragraph-7 of the petition. Counsel further submits that T.I.P. has not taken place in this case.

Counsel for the petitioner of 2nd case submits that F.I.R. has been filed against unknown persons and his name has come by virtue of confession made by the petitioner of Cr. Misc.

No. 48376 of 2022. He further submits that petitioner is in custody since 20.05.2022 and there is one criminal case pending against him in which he is on bail.

Learned counsel for the State vehemently opposes the prayer for bail and submits that from the order sheet of the Sessions Judge it transpires that the said truck has been recovered on the confessional statement of the petitioner of first case, the kidnapping petitioner were also recovered from the vicinity in which informant of the petitioner of first case is there and therefore, the confessional statement made by the first petitioner could not be denied.

In this view of the matter, I am not inclined to grant bail to the petitioners, therefore, bail petitions of the petitioners are hereby rejected.

Trial court is directed to expedite the trial.

(Dr. Anshuman, J.)

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