

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6573 of 2023

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. 8141 of 2023

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. 6573 of 2023)

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

For the Opposite Party/s : Ms. Asha Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 8141 of 2023)

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-04-2023 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 appearing for the petitioner Guddu Kumar and learned counsel appearing for the petitioner Rohit Kumar that the earlier prayer for bail of both the petitioners was rejected vide order dated 24.3.2022 (Annexure-1) passed in Cr. Misc. no. 50071 of 2021 and Cr. Misc. no. 54925 of 2021.

It is submitted by learned counsel appearing for the petitioner Guddu Kumar 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. wherein he is said to have named one person by the name of Guddu. It is submitted the same is not the petitioner herein. The petitioner has not been put on T.I. parade and he is in custody since 4.9.2020. He undertakes to cooperate in the trial.

Learned counsel appearing for the petitioner Rohit Kumar submits that the petitioner happens to be the cousin



brother of the alleged victim. He in his statement under section 164 Cr.P.C. stated about this petitioner having given him Rs. 10 and asked him to get Rs. 30,000/- from the motorcycle borne person. On going near them, he was kidnapped by the two accused persons.

The applications for bail are opposed by learned APP for the State.

A report was called for from the learned trial court. As per the report received contained in letter dated 1.4.2023 of the Addl. District & Sessions Judge XIV, Muzaffarpur, the case is fixed for charge on 11.4.2023.

Having heard learned counsel for the parties and taking into consideration the petitioner Guddu Kumar being in custody since 4.9.2020 and not having been put on T.I. parade and so far as the petitioner Rohit Kumar is concerned, there being no direct allegation of kidnapping against him and he being in custody since 4.9.2020, both the petitioners Guddu Kumar and Rohit Kumkar are directed to be enlarged on bail in connection with S.Tr. no. 209 of 2023 (arising out of Sahebganj P.S. Case no. 469 of 2020) on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



District and Sessions Judge – XIV, Muzaffarpur.

(Partha Sarthy, J)

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