

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9173 of 2023

Arising Out of PS. Case No.-129 Year-2022 Thana- BAHADURPUR District- Patna

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1. Harsh Kumar, S/O Vijay Singh R/O - Iniyar, P.S.- Baliya, Distt- Begusarai.
 2. Utkarsh Kumar @ Daulat Kumar, S/O Vijay Singh R/O - Iniyar, P.S.- Baliya, Distt- Begusarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Sections
364(A) and 365 of the Indian Penal Code.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and are young
boys aged about 20 and 19 years. It is next submitted that from
bare perusal of the allegation as alleged in the F.I.R., it would
manifest that the petitioners were not arrested from the spot
rather their name transpired in the confessional statement
apprehended co-accused in police custody, which does not have
any evidentiary value.



The learned counsel next submits that the informant, who is driver of an OLA Maruti-800, alleges that his car was booked by four people for going to Balia. It is next alleged that on way, five more persons entered the vehicle and altogether seven people went to Balia and on reaching the destination, it is alleged that the accused persons forcibly kept the driver and called his wife seeking ransom, when the police came and two persons were arrested namely, Aman Kumar and Shivam Kumar. It is next submitted that it was Aman Kumar and Shivam Kumar, who disclosed the name of the petitioners.

The learned counsel next submits that petitioners are young boys with clean antecedents and their entire career would be jeopardized in the event, if they are sent to jail. However, it is submitted that petitioners will not abscond rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer. It is next submitted that though there is allegation of demand of ransom, but then no ransom was paid.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J. M., 1st Class, Patnacity, Patna in connection with Bahadurpur P. S. Case No.129 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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