

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9770 of 2023

Arising Out of PS. Case No.-930 Year-2022 Thana- DANAPUR District- Patna

ABHISHEK KUMAR @ RAJNISH Son of Sitaram Singh Resident of Village
- Ramderi Lavarchak, P.S.- Matiyani, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Raj

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 365, 364, 377, 120B
of the Indian Penal Code.

It is a case of abduction for demand of ransom money.
The prosecution story in short is that on , informant along with
her brother Nawnit Prakash were along in their house. In the
meantime, Rajnish and Ravnak came in her house and lifter her
brother and went away on 29.08.2022 at 5 P.M.. It is further
alleged that one lady Manisha got Rs. 15 lacs with the helf of
my father in which this petitioner, co-accused Sanjay, Ravi and
Raunak became guarantor of their own free will and Manisha
give Rs. 7 lac to the borrower withholding rest of the money.



Thereafter, the said lady handed over a cheque of Rs. 11 lac. It is further alleged that on account of non-refund of the amount, Navneet Prakash was taken away.

It is submitted by learned counsel for the petitioner that petitioner has committed no offence.. The present case is lodged on account of non-refund of money which was given to Manisha Kumari in which Navnit Prakash was said to be a guarantor. There was no motive to abduct the petitioner for demand of ransom rather informant has filed the present case only with a view to grab the rest unpaid amount. Moreover, dispute if regarding to non-payment of money and the same is of civil nature but only to give a colour of criminal nature, the petitioner has been falsely implicated in this criminal case. Victim was recovered and his statement was recorded u/s 164 Cr.P.C. in which he has not stated anything against the petitioner. He has made specific allegation of un-natural offence is against co-accused Himanshu, Abhinandan and Raushan. Co-accused Abhinandan Kumar, against whom there is allegation of committing un-natural offence, has already been enlarged on bail by another coordinate Bench of this Court vide order dated 19.06.2023 passed in Cr. Misc. No. 1593 of 2023 and the case of the petitioner stands on better footing to that of the co-



accused. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 2.09.2022.

The application for bail is opposed by learned APP for the State and submitted that petitioner is named in the FIR. Statement of the victim boy was recorded u/s 164 Cr.P.C. in which he has made specific allegation of abduction against the petitioner.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI, Danapur in connection with Danapur P.S. Case No. 930 of 2022.

(Sunil Kumar Panwar, J)

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