

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11577 of 2023

Arising Out of PS. Case No.-111 Year-2022 Thana- INDUSTRIAL AREA District- Vaishali

MD. MERAJ S/O LATE MUMTAZ @ LATE MUMTAJ AHMAD R/v-
Murgiya Chak, P.S.- Bhagwanpur, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 30.08.2022 in connection with Industrial Area P.S. Case No. 111 of 2022, F.I.R. dated 05.07.2022 registered for the offences punishable under Sections 364A, 395, 397 of the Indian Penal Code.

The prosecution case, in brief, is that on 04.07.2022 at 8 O'clock night the informant after closing his shop departed for his home from motorcycle and reached near Chourasia Chowk at 8:20 P.M. just then one Maruti Wagon-R vehicle came from behind and intercepted informant's motorcycle and 5 persons armed with pistols came down and beat him by butt of pistol and brought him in Wagon-R vehicle and his motorcycle was



taken away by one of the accused. It is further alleged that the accused tied informant's mouth and eye with gamcha and put on the floor of vehicle and pressed him by feet and talked that Rs. 50 lacs shall be extorted from the family of the informant only then he will be released. In that course the police of Bhagwanpur Police Station stopped the Wagon-R vehicle for checking and the police found the informant in tied condition and some accused persons fled away and three accused persons with firearms were caught by police. The accused persons also looted Rs. 65000/- while catching the informant and also beat badly.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that for the same occurrence two F.I.Rs have been instituted, one by the informant namely Ranjeet Kumar @ Pappu Kumar and the second by the police officials, and the versions of in both F.I.Rs are contradictory with each other. He further submits that as per F.I.R. the petitioner and other accused persons have abducted the victim namely Ranjeet Kumar @



Pappu Kumar but the petitioner has not abducted Ranjeet Kumar @ Pappu Kumar and the allegation against the petitioner is false and fabricated.

Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was arrested along with other co-accused persons with the informant from one Wagon-R and the victim has stated his name in his statement recorded under Section 164 of the Cr.P.C.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Industrial Area P.S. Case No. 111 of 2022 pending in the Court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

Prayer is refused.

(Rajesh Kumar Verma, J)

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