

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27865 of 2022

Arising Out of PS. Case No.-581 Year-2021 Thana- GAYA MUFASIL District- Gaya

CHHOTU KUMAR @ COMMANDO SON OF SUDHIR KUMAR SINGH
R/O VILLAGE- SHAMBEY, P.S.- WARISALIGANJ, DISTRICT-
NAWADAH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 28609 of 2022

Arising Out of PS. Case No.-581 Year-2021 Thana- GAYA MUFASIL District- Gaya

RAUSHAN KUMAR Son of Krishna Singh Resident of Village - Dakhigaon,
P.S.- Wazirganj, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 30159 of 2022

Arising Out of PS. Case No.-581 Year-2021 Thana- GAYA MUFASIL District- Gaya

RAVI KUMAR @ RAVI SINGH @ RAVI KUMAR SINGH S/o Ramdhyan
Singh R/o village- Rasalpur (Manpur), P.S.- Mufasil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33260 of 2022

Arising Out of PS. Case No.-581 Year-2021 Thana- GAYA MUFASIL District- Gaya

HARIOM SHARAN @ HARIOM @ MOTI Son of Manoranjan Kumar
Resident of Village - Karisowa, P.S.- Wazirganj, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar



... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 27865 of 2022)

For the Petitioner/s : Mr. Arvind Kumar, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 28609 of 2022)

For the Petitioner/s : Mr. Abhimanyu Sharma, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 30159 of 2022)

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

(In CRIMINAL MISCELLANEOUS No. 33260 of 2022)

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.

Mr. Abhimanyu Sharma, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 18-01-2023 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 364A and 34 of the Indian Penal Code.

As per the prosecution case, the informant states that his seven year old son who had gone to play near the Surya Mandir did not return and was not to be found inspite of search. Another boy informed the informant about three persons having taken away his son in a white vehicle. Information was given to the police station. A phone was received that he would be informed about the ransom to be paid.

Learned counsel appearing for the petitioner Chhotu Kumar submits that he is not named in the statement of the victim under section 164 Cr.P.C. His name transpired in the



confession of co-accused Shivam Kumar made before police. He is in custody since 11.1.2022 and chargesheet has been submitted in the case.

Learned counsel appearing for the petitioner Raushan Kumar submits that besides this petitioner not being named in the statement under section 164 Cr.P.C. of the victim, his name transpired in the confession of co-accused Shivam. No material has transpired to connect this petitioner with the alleged crime. He is in custody since 11.1.2022 and has no criminal antecedent.

On behalf of the petitioner Ravi Kumar, learned counsel submits that although his name transpired in the confession of co-accused Raushan Kumar, however no material has transpired in course of investigation to connect him with the alleged crime. He has not been named by the victim in his statement under section 164 Cr.P.C. The petitioner is in custody since 20.1.2022 and has no criminal antecedent.

It is submitted by learned counsel for the petitioner Hariom Sharan that the F.I.R. was registered against unknown. The petitioner was falsely implicated in course of investigation. The victim was recovered and his statement was recorded under section 164 Cr.P.C. but he does not name any of the accused. The name of the petitioner transpired in the confession of co-



accused. The petitioner does not own any vehicle. He is in custody since 11.3.2022 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration that the petitioners are not named by the victim in his statement under section 164 Cr.P.C., their names transpired in the statement of co-accused made before police, they are in custody since different dates for a period of more than 10 months and chargesheet having been submitted in the case, the Court directs all the petitioners to be enlarged on bail in connection with Gaya Mufassil P.S. Case no.581 of 2021 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 Chief Judicial Magistrate, Gaya.

(Partha Sarthy, J)

Saurabh/-

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