

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31318 of 2023

Arising Out of PS. Case No.-41 Year-2018 Thana- AGAMKUAN District- Patna

VICKY PASWAN @ VIKKI KUMAR PASWAN SON OF RAJESH PASWAN @ MANTU Resident of Village- Kumhrar Mahabir Mandir, Imlital, Police Station-Agamkuan, District-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajoy Kumar Chakraborty, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 19-07-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has renewed his prayer for bail in connection with Agamkuan P.S. Case no. 41 of 2018 registered under section 364A of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

3. The earlier prayer for bail of the petitioner was rejected vide order dated 1.12.2021 passed in Cr. Mic. no. 21718 of 2021.

4. As per the prosecution case, it is the case of the informant that he received a phone call on his mobile phone. His son Raunak Kumar narrated that he had been kidnapped and was being beaten up. Thereafter, it is stated that another person



took the telephone and made a demand of ransom to the tune of Rs. 25 lacs. The informant states that he had some dispute with one of his tenants.

5. It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR. His name transpired in course of investigation in the statement of accused Dharmendra Kumar made before police which is inadmissible. There is no eye witness to the occurrence. He has been falsely implicated in the case and inspite of having remained in custody since 19.1.2018, the trial has still not concluded.

6. The prayer for bail is opposed by learned APP for the State.

7. As per the report received from the learned trial Court contained in letter dated 11.7.2023 witnesses on behalf of the defence are being examined.

8. Having heard learned counsel for the parties and taking into consideration that the evidence of the prosecution witnesses has concluded together with the nature of allegation against the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

9. Learned trial Court is directed to conclude the trial within a period of three months from the date of closure of the



defence witnesses.

(Partha Sarthy, J)

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