

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36115 of 2023

Arising Out of PS. Case No.-16 Year-2023 Thana- PAKARIBARAW District- Nawada

GULSHAN KUMAR Son of Satendra Singh Resident of Village - Khanwan,
P.S.- Narhat, District - Nawada, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Raj,Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 21.01.2023 in connection with Pakribarawa P.S. Case No. 16 of 2023, F.I.R. dated 16.01.2023 registered for the offence punishable under Sections 363 of the Indian Penal Code and later on Section 364A of the Indian Penal Code was added.

3. As per the FIR, informant Anita Devi alleged that her son Akshay Kumar went outside the house on 15.01.2023 in the morning to get his motor cycle repaired. His mobile phone bearing no. 8984867021 and 6206996136 later became switched off after he informed her that he is going to Nawada to discharge some work. Accordingly, the FIR.



4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Khusboo Kumari. Further submits that except the confessional statement of the co-accused, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the Stat, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that on the basis of the confessional statement of the co-accused, namely, Khusboo Kumari, one co-accused, namely, Rahul Kumar has been apprehended and from his possession, the mobile, from which the ransom was demanded, has been recovered and thereafter on the basis of the confessional statement of the co-accused, namely, Khusboo Kumari as well as Rahul Kumar, the petitioner has been apprehended and he has also confessed his guilt in the present occurrence and on the basis of the disclosure made by the petitioner, the victim was recovered.

6. Considering the aforesaid facts, I am not inclined



to enlarge the petitioner on bail in connection with
Pakribarawa P.S. Case No. 16 of 2023 pending in the court of
learned Judicial Magistrate 1st Class, Nawada.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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