

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41802 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- JOKIHAT District- Araria

ISHTIYAQUE @ ISTIYAK Son of Md. Fatkan Alam Resident of Village -
Prasadpur Tola, Dumarea, P.S.- Jokihat (Mahalgaon), Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikram Deo Singh
	:	Mr. Mukesh Kumar Rana
For the Informant	:	Mr. Amamul Haque
For the Opposite Party/s	:	Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 31-01-2023 Let the defect(s), as pointed out by the office,

be removed within a period of four weeks from today.

Heard learned counsel for the petitioner,

learned counsel for the informant and learned A.P.P. for the

State.

The petitioner seeks bail in connection with

Jokihat P.S. Case No. 85 of 2022 registered for the offences

punishable under Sections 363, 365, 302, 201, 120B/34 of

the Indian Penal Code.

As per prosecution case, informant's son has

been kidnapped by unknown miscreants.

Learned counsel for the petitioner submits that



petitioner is in custody since 18.02.2022. Petitioner bears no criminal antecedent. Learned counsel further submits that petitioner is not named in the F.I.R. Name of present petitioner has been surfaced on the basis of call details report showing conversation between the petitioner and informant's son (since deceased). Petitioner is quite innocent and has committed no offence as alleged in the F.I.R. Petitioner has falsely been implicated in the present case. There is no eye witness of the occurrence. Nothing has been recovered from the conscious possession of the petitioner.

The learned A.P.P. for the State and learned counsel for the informant vehemently oppose the prayer for bail of the petitioner and submit that the dead body of the informant's son has been recovered upon the disclosure of petitioner and his brother.

Considering the facts and circumstances of the case, nature of allegation against the petitioner and materials available on record, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner stands rejected.



However, learned trial court is directed to conclude the trial within six months from the date of receipt of order. If the trial is not concluded within the stipulated period of time, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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