

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57374 of 2023

Arising Out of PS. Case No.-704 Year-2021 Thana- BIHAR District- Nalanda

Indrajeet Kumar, aged about 27 years (Male), son of Mr. Ramdev Thakur,
resident of village- Barara, P.S.- Noorsarai, Dist- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Purushottam Kumar, Advocate
For the Opposite Party : Mr. Sanjay Kumar Tiwary, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 06-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 376 of 2022, arising out of Bihar P.S. Case No. 704 of 2021 dated 16.10.2021 registered for the offences punishable under Sections 364A, 302, 201 and 120B/34 of the Indian Penal Code.

3. As per the prosecution case, the son of the informant went to receive a table from Amazon Company. When the informant called on his mobile, the mobile was found switched off. Later on, someone from his mobile called the informant at 9.28 P.M. and told her that her son was in his captivity and demanded Rs. 5 Lacs as ransom and also



threatened to kill her son if she went to police.

4. Earlier bail application of the petitioner was rejected vide Cr. Misc. No. 26983 of 2022 under order dated 10.10.2022, annexed as Annexure-1 to the present application taking into account the heinous nature of allegation as has been levelled against the petitioner and the learned court below was directed to expedite the trial and conclude the same preferably within a period of nine months.

5. This is second attempt on behalf of the petitioner for grant of bail.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that co-accused Deepak Kumar was the mastermind and the petitioner has no role in the alleged crime. Learned counsel for the petitioner has further submitted that the co-accused in his confessional statement has stated the modus operandi as to how the occurrence took place with the association of the petitioner and the other co-accused persons and only on this basis he has been implicated in this case. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is



in custody since 19.10.2021.

7. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that a mobile containing SIM of the deceased was recovered from the possession of the petitioner from which ransom was demanded from the informant. The aforesaid act indicates direct involvement of the petitioner in the crime alleged.

8. Vide order dated 01.09.2023, a report was called for from the court below regarding the present stage of the case. In pursuance of the aforesaid order dated 01.09.2023, a report vide Letter No. 264/2023 dated 08.09.2023 has been received from the court of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Nalanda, Bihar Sharif. From the report, it is evident that out of ten charge-sheeted witnesses, five witnesses have already been examined by the prosecution and five witnesses are yet to be examined by the court and the next date fixed for prosecution evidence is on 13.09.2023.

9. Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sessions Trial No. 376 of 2022, arising out of Bihar P.S. Case No. 704 of 2021, pending in the court of learned Sessions Judge, Nalanda at Bihar Sharif.



10. Learned court below is further directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order.

11. The bail petition stands rejected.

(Chandra Prakash Singh, J)

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