

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18747 of 2024

Arising Out of PS. Case No.-279 Year-2023 Thana- BAHADURPUR District- Patna

=====

Baijnath Singh @ Baidhnath Singh, aged about 40 years, Gender-Male, Son of Ramchandra Singh, Resident of Village- Bitandipur P.S. Jandaha District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 17-05-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bahadurpur P.S. Case No. 279 of 2023 instituted for the offences punishable under Sections 363 and 364 of the Indian Penal Code.

3. The allegation against the petitioner is that Rajmistri who fled away with informant's son Ankush Kumar. She searched her son everywhere.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case only on the basis of confessional statement of co-accused Vijay Kumar and Santosh



Kumar. It is further submitted that the confessional statement of co-accused Vijay Kumar, who has clearly stated that he has stolen the son of the informant and the said version has been supported by other co-accused Santosh Kumar. Petitioner has got no criminal antecedent as stated in para 3 of the petition is in custody since 31.07.2023.

5. Learned APP opposes the prayer for bail.

6.From perusal of the case diary, FIR and also perused the impugned order dated 05.01.2024 passed by the learned 1st Additional District and Sessions Judge, Patna City, Patna, it appears that allegation against this petitioner is specific and the son of the informant has been recovered from the house of the petitioner and the petitioner is arrested at the spot. In para 5 restatement of informant Soni Devi, who supported the prosecution case, para 9 witness Gulabo Devi, para 10 witness Raj Kumar Paswan confessional statement of co-accused Vijay Kumar and Santosh Kumar named this petitioner. The Investigating Officer of the case has found the case true and submitted chargesheet against the petitioner.

7. Considering the facts and circumstances of the case, specific allegation against the petitioner for kidnapping of informant's son, I am not inclined to grant bail to the petitioner.



8. Prayer for regular bail of the petitioner is hereby rejected.

9. However, the learned trial Court is directed to conclude the trial preferably within a period of one year from the date of receipt of this order and if the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail before the trial Court.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

