

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22095 of 2024**

Arising Out of PS. Case No.-542 Year-2023 Thana- SAHPUR District- Bhojpur

Kuldeep Kashyap Son Of Inderjeet Bind Resident Of Village- Koilisal Ps-  
Pandey Kodar Distt- Gorakhpur, Up P/A- D/111, Gali No. 06, Nikhil Bihar  
Ashmail, Dist- Faridabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

3      20-05-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Shahpur (Karnamepur O.P.) P.S. Case No. 542 of 2023 instituted  
for the offences punishable under Section 364(A), 411 of IPC  
and Section 25(1-b)a and 26 / 35 of the Arms Act.

3. As per allegation in the FIR, the informant got  
telephonic information by Dharmendra Pathak that cousin  
brother Jitendra Pathak and his friends Aaryan Chauhan and  
Kapil Sharma had gone in Tilak Ceremony in village Nainijor at  
the house of Krishna Kumar on dated 26.11.2023 where prior to  
this Kuldeep Kashyap and his friends have kidnapped these  
three persons and demanded Rs. 5 lacs as extortion. When the  
kidnappers threatened Dharmendra Pathak given Rs. 7,50,000/-



by Paytm in the mobile number of petitioner. The six accused persons were arrested but 4-5 persons succeeded to flee away. When the inquiry was made six accused persons had kidnapped Jitendra Pathak and Aaryan Chauhan, Kapil Sharma was found which was kept in custody of constable Amarjeet Kumar and other three persons were identified Kuldeep Lashyap and Jitu Kumar when search was made three accused were found. In such circumstances one Apache Bike, mobile and one alive cartridge were recovered from the possession of petitioner Kuldeep Kashyap, when search was made of Jitu Kumar one pulsar bike one alive cartridge and one mobile was recovered, in search of Aayush Tiwari one loaded revolver and alive cartridge was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent, has committed no offence and has falsely been implicated in this case. He further submits that petitioner is in custody since 28.11.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. On perusal of the FIR, seizure list, case diary and impugned order dated 08.01.2024, it appears that there is direct allegation against the petitioner and other co-accused persons of



kidnapping for ransom money, which is serious in nature and Jitendra Pathak belongs from Faridabad, Haryana, Aryan Chauhan belongs from Faridabad, Haryana and Kapil Sharma belongs from Badarpur, New Delhi. The statement recorded under Section 161 and 164 of Cr.P.C. the abducted persons have supported the prosecution story and also supported that the petitioner has demanded the ransom money, so considering all the facts and circumstances of the case, as this is a heinous offence committed by the petitioner, I am not inclined to grant bail to the petitioner.

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

**(Ramesh Chand Malviya, J)**

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