

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32702 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- BELDOUR District- Khagaria

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Kundan Sah son of Pramod Sah Village- Girajpur, P.S. Beldaur, Distt. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 29-05-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Beldaur P.S. Case No. 143 of 2023, G.R. No. 2079 of 2023 dated 24.06.2023, lodged under Sections 341, 323, 386, 504, 506 and 34 of the I.P.C. read with Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been lodged against five named accused persons including the present petitioner against whom, there is an allegation that they have kidnapped the informant's son and demanded ransom of Rs. 1 lakh otherwise threatened to kill within one hour.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the name of the petitioner has figured in this case at the

instance of the police only due to the reason that his antecedent is not clean. There are six criminal cases pending against him in which he is on bail and he is in custody since 23.07.2023. He further submits that so far as the Arms Act is concerned, no recovery of arms has been made from the possession of the petitioner, therefore, Arms Act is not maintainable at all against the present petitioner. He further submits that the name of the petitioner has unnecessarily been inserted in this case.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that the allegation of kidnapping with common intention of the accused and furtherance of common intention, they have demanded ransom of Rs. 1 lakh, this is the allegation there and informant himself identified the present petitioner when three accused persons were going on in the motorcycle with rifle.

6. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and therefore, his bail petition is hereby rejected.

7. With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

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