

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38317 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- SUGAULI RAIL P.S. District- West
Champaran

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Vivek Kumar S/o Suresh Sonkar @ Suresh Khatik R/o New Bus Stand
Balkrishn Colony, ward no. 25, P.S. - Bettiah Town, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 25-10-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in GRP Sugauli (Bettiah)
P.S. Case No. 11 of 2024, instituted for the offences punishable
under Sections 363, 365 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of abducting the brother of the informant as well as
demanding ransom of Rs. 1,00,000/- from the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. It is relevant to mention here that the petitioner has not demanded any ransom, rather co-accused Wahid demanded Rs. 1,00,000/- as the ransom. It is also to be submitted that the victim in his statement made under Section 164 Cr.P.C. has not disclosed the name of the petitioner as kidnapper but he only disclosed the name of co-accused Wahid as the kidnapper who demanded ransom from his family members. The petitioner is in custody since 21.02.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 27.09.2024 passed in Cr. Misc. No. 45988 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with GRP Sugauli
(Bettiah) P.S. Case No. 11 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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