

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42498 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- BODHGAYA District- Gaya

-
1. Sudip Kumar, Son of Jaidarath Singh, age about 20 years, Male, R/O Village- Benipur, Rupao, District- Nawada.
 2. Vikash Kumar, Son of Ram Swarup Prasad @ Ramswaroop Prasad, age about 19 years, Male, R/O Village- Benipur, Rupao, District-Nawada

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Kumar Prabhat Ranjan, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 29-07-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Bodhgaya P.S. Case No. 74 of 2024 dated 12.02.2024 registered for the offences punishable under Sections 364A/34 of the I.P.C. Later on, Sections 25(1-b)a, 26 and 35 of the Arms Act were also added.

3. As per the prosecution case, on 11.02.2014 at about 2.30 P.M., the son of the informant, namely, Shyam Singh @ Prince, aged about 15 years, took Rs. 50/- and informed that he was going to the village- *Bhusanda* and he would return by the evening. When his son did not return in the evening, the



informant started to call him on his mobile but his mobile was found switched off. Thereafter, the informant tried to search him in the native village. At 9.18 P.M., a call was received on Mobile No. 6206134917 from the Mobile No. 6287668958 and was informed that his son has been kidnapped and demand of Rs. 40,00,000/- was made from the informant. The threat was also given that if he would not give the said money then his son would be killed. It is further alleged that the informant suspected that Rishav Kumar Singh, Durga Yadav, Lalu Yadav, Sanki Manjhi and Jogindra Yadav and some other persons kidnapped the informant's son under conspiracy as there was previous land dispute between them.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the petitioners are not named in the F.I.R. It is submitted that the petitioners are students and they are preparing for competitive examination and belong to very poor families and they also work in a musical studio to support their families financially. The victim is not a 15 year old minor child rather his age is about 18 years and having a friendly relationship with the petitioners. It is known by the victim that the petitioners work in the *Swatik Music*



Studio and shoot songs for *YouTube*. The victim also worked as a signer in the said musical studio. On 11.02.2024, the petitioners got a call from Sanjeev Kumar to meet at *Bhusanda More* to receive their payment. They went there and found that Sanjeev Kumar, Chandan Kumar and Vikash Kumar @ Bikki were already present there. Soon, the victim arrived there, the victim alongwith the petitioners sat in the car and proceeded for *Swatik Musical Studio* willfully. It is further submitted that the victim was not satisfied with the money paid by Sanjeev Kumar but agreed to shoot a new song video and audio for *YouTube* from tomorrow. On 12.02.2024, the petitioners, victim and other persons started the shooting of that new video together. Sanjeev Kumar arranged a car and motorcycle and when they were shooting the same, they were arrested by police. The said vehicles do not belong to the petitioners. The said recovered mobiles from the petitioners were not used in the said crime. The petitioner no. 2 was pillion rider on the said motorcycle. No incriminating article has been recovered from the possession of the petitioners. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail petition. They are in custody in this case since 12.02.2024.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioners. Learned A.P.P. for the State has further submitted that in paragraph no. 22 of the case diary, it has been mentioned that the petitioners and the co-accused persons were arrested by the police with the victim.

6. Considering the aforesaid facts and circumstances of the case, this Court is not inclined to grant bail to the petitioners and the same is rejected in connection with Bodhgaya P.S. Case No. 74 of 2024, pending in the court of learned C.J.M., Gaya.

7. The application stands rejected.

(Chandra Prakash Singh, J)

U.K./-

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

