

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46526 of 2024

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

Vikash Kumar @ Vicky Kumar son of Gango Mahto @ Gago Mahto Village-
Pilhi Dhibariya Ps- Muffasil Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Adv

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 19-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular 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 petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. It is submitted that the petitioner is a student and he is preparing for competitive examination and belongs to very poor family. No T.I.P has been conducted by the prosecution. No incriminating article has been recovered from the possession of the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 13.02.2024.

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



opposed the bail petition of the petitioner by submitting that the petitioner participated in the occurrence to kidnap the victim. Learned A.P.P. for the State has further submitted that a country made pistol was also recovered from the possession of the petitioner.

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)

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