

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56934 of 2023

Arising Out of PS. Case No.-86 Year-2021 Thana- NIRMALI District- Supaul

=====

Ram Kumar Yadav @ Raj Kumar Yadav @ R.K. Yadav, S/o Rameshwar
Yadav R/o Village-Phulkaha Katti, Ward No.-5, P.S.-Sukhipur, District-Sirha
(Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 27-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Nirmali P.S. Case 86/2021 corresponding to G.R. No. 383/2021
(S. T. No. 245/2021), lodged on 31.05.2021 under Sections 364,
364A and 34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 16 named accused persons and unknown. The
allegation against the said accused persons is that they have
kidnapped the son of the informant and started demanding
ransom through the mobile number of the daughter-in-law of the
informant. It has been alleged that when the informant reached
to save his son with money then the accused persons left the



place and with this allegation that the accused persons had kidnapped the informant's son for ransom, the present FIR has been lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The name of the petitioner has figured in this case only on the basis of suspicion raised by the informant and except this, there is no cogent material found against the present petitioner. He further submits that two co-accused persons have been granted bail by different co-ordinate Benches of this Court vide order dated 19.05.2023 and 21.06.2023 passed in Criminal Miscellaneous No. 71784 of 2021 and Criminal Miscellaneous No. 23328 of 2023 respectively. The petitioner is in custody since 18.06.2021. The petitioner is accused in 17 more cases and in all the cases, he has been granted bail.

5. Learned counsel for the State opposes the prayer for bail and submits that in the rejection order passed by the Addition Sessions Judge, it has been observed that on the identification of co-accused Satish Yadav @ Satish Kumar Yadav, the mobile phone of the victim had been recovered from the house of the petitioner. The antecedent of the petitioner is not clean as there are a total 17 cases pending against him. He



further submits that as per submission, the petitioner has been granted bail in all the 17 cases pending against him, but such a statement is lacking in paragraph 3 of the bail application.

6. This Court vide order dated 02.12.2023 called for a report with respect to the present stage of the trial. The report has been received indicating therein that the trial is likely to be concluded within 9 months.

7. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Nirmali P.S. Case 86/2021, corresponding to G.R. No. 383/2021 (S. T. No. 245/2021), pending before the learned Additional Sessions Judge-1, District Supaul is hereby rejected.

9. However, the trial Court is directed to conclude the trial as early as possible.

10. With this observation, the bail application stands disposed off.

(Dr. Anshuman, J)

Ashwini/-

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

