

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54812 of 2024

Arising Out of PS. Case No.-233 Year-2022 Thana- BELDOUR District- Khagaria

PRINCE KUMAR S/O PAWAN YADAV R/O VILLAGE- PACHATH,
WARD NO. 09, PANCHAYAT- BALETHA, P.S- BELDAUR, DISTT.-
KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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

ORAL ORDER

4 26-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Beldour P.S. Case No. 233 of 2022 corresponding to G.R. No.
3310 of 2022 dated 15.11.2022 registered for the offences
punishable under Sections 363 and 365 of the I.P.C.

3. As per the prosecution case, on 09.11.2022 at about
6.00 P.M., the petitioner and the other co-accused persons are
alleged to have kidnapped the minor son of the informant.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The occurrence took place on 09.11.2022 but the FIR
was lodged after lapse of six days and there is no explanation



for this delay. There is no specific allegation against the petitioner. It is submitted that the informant is not the eye witness to the alleged occurrence. The petitioner has been made accused in the present case only on the basis of suspicion. It is further submitted that during the investigation, no incriminating material has come against the petitioner rather in paragraph no. 22 of the case diary it has come that the informant's son had a bad habit and he was stealing money from his house and his parents scolded him and apart from that the victim has friendship with the co-accused Shankar Yadav and the petitioner, Prince Kumar who were anti-social elements of the society and both of them had gone to jail in the theft case. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 01.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and has further submitted that the victim who is 11 years old, is still traceless.

6. Considering the aforesaid facts and circumstances of the case as well as the seriousness of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Beldour P.S. Case



No. 233 of 2022, corresponding to G.R. No. 3310 of 2022,
pending in the court of learned C.J.M., Khagaria.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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