

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57507 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- MAHALGAON District- Araria

Sanjar @ Md. Sanjar S/o- Sabir @ Md. Sabir Village- Kusaha Ps- Kasba Dist-
Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Adv.
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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

ORAL ORDER

3 13-11-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Mahalgaon P.S. Case No. 29 of 2024 instituted for the offences
under Section 364(A)/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the present petitioner is of
kidnapping the two sons of the Informant on the gun point. It is
alleged that shortly, thereafter, the miscreants repeatedly called
in the mobile of the Informant's daughter-in-law, demanding a
ransom of Rs. 8 lakhs.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. He further submits that the petitioner has neither kidnapped the victim nor demanded any extortion money from the Informant. The alleged mobile number mentioned in the F.I.R. is also not in the name of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 17.05.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that allegation alleged against the petitioner is serious in nature. Both the kidnapped persons have been recovered and Abhisekh Kumar in his statement made under Section 164 Cr.P.C. has clearly stated that the kidnappers were seven in number and all of them were having guns. He has also stated that he knows four of the miscreants viz. Salman, Munna, Sanjar and Mustakim. The petitioner has also confessed his guilt of being involved in the alleged occurrence. Hence, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as



also taking into account the statement of the kidnapped persons made under Section 164 of the Cr.P.C., this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is rejected with a direction to the court below to expedite the trial.

(Rudra Prakash Mishra, J)

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