

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59076 of 2024

Arising Out of PS. Case No.-1231 Year-2023 Thana- SHERGHATI District- Gaya

Shubham Kumar Son of Ramashankar Singh R/V-Village- Paneri, P.S.-Bihta,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kaushlendra

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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

ORAL ORDER

3 26-10-2024 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 Sherghati P.S. Case No. 1231 of 2023 dated 10.12.2023 registered for the offences punishable u/s 364A of the Indian Penal Code.

3. As per the prosecution case, when the informant's son Kamran Kumar went to college with his friend Satendra Kumar @ Umesh on a motorcycle but did not return and his mobile phone was switched off. It is further alleged that upon inquiry, his friend Satendra Kumar told that he was on his way but the informant's son did not return home till night. The next morning, on 10.12.2023, a call from mobile number



8967640203 was received on the informant's mobile and demanding Rs. 30,00,000/- as ransom. They also threatened the informant that they would kidnap the informant's younger son if the said demand was not fulfilled.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused, Shivam Kumar. Learned counsel has further submitted that the said mobile number does not belong to the petitioner. Neither the petitioner ever demanded any money nor he is involved in the said offence. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the allegation against the petitioner of committing murder of the deceased Kamran Kamar after abducting him and demanded Rs. 30,00,000/- as ransom from the informant for release his son. Learned counsel has further submitted that as per the para nos.



65 and 68 of the case diary, the petitioner and the co-accused, Shivam Kumar have confessed their indulgence in the alleged crime. As per the para 83 of the case diary, on the basis of the disclosure made by the petitioner, one mobile phone and one black colour smart watch with belt of the deceased were recovered. As per the inquest report, cause of death of the deceased is due to throttle his neck by using rope. As per the post-mortem report of the deceased, the opinion regarding the cause of death is kept reserved.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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