

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60331 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- DIGHALBANK District- Kishanganj

1. Md Taslim Son of Imtiyaz Ali R/O Vill.- Singhimari Milik, P.S.- Kodhobari, District- Kishanganj
2. Tousif Alam @ Tosif Alam Son of Jamaluddin R/O Vill.- Bairbanna Ward no. 05, P.S.- Dighalbank, Dist.- Kishanganj

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.
For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Dighalbank P.S. Case No. 57 of 2024 dated 13.05.2024 registered for the offences punishable u/ss 364A, 365 of the Indian Penal Code.

3. As per the prosecution case, the co-accused, Md. Hasibur Rahman along with the unknown persons is alleged to have abducted the informant's son and demanded Rs. 1,50,000/- as ransom.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the F.I.R. The name of the petitioners has transpired in this case only on the basis of the statement of the victim namely Md. Akmal Hussain recorded



under Section 164 of the Cr.P.C. It is further submitted that the petitioner has no concern with the alleged offence. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners and submitted that the statement of the victim recorded under section 164 of the Cr.P.C. has stated the name of the petitioners and also supported the involvement of these petitioners in the alleged crime of kidnapping.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioners, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the petitioners are directed to surrender to the Court below within six weeks from the date of this order and the Court below shall consider the prayer of bail of the petitioners without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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