

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58396 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- TETERHAT District- Lakhisarai

Shravan Kumar @ Garden S/O Late Nakul Ram R/O Village- Mahisona, P.S-
Tetarhat, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 60167 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- TETERHAT District- Lakhisarai

Kundan Kumar Son of Jitendra Kumar R/o Village- Kalyanpur Dih, P.S.-
Athmalgola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 62932 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- TETERHAT District- Lakhisarai

Munna Kumar Son of Anil Ram @ Anil Kumar R/o Village- Kalyanpur Dih,
P.S.- Athmalgaola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 64231 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- TETERHAT District- Lakhisarai

Raushan Kumar Son of Vinay Ram @ Vinay Kumar Resident of Kashimpur
Dhadhi, Police Station - Athmalgola, District - Patna

... .. Petitioner/s

Versus

The State of Bihar



... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 65511 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- TETERHAT District- Lakhisarai

Chhotu Kumar S/O Ram Valli Ram Resident Of Village- Kalyanpur Dih, P.S- Athmalgola, Distt.- Patnas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 58396 of 2024)
For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
Mr.Mayank Bilochan, Advocate
For the informant : Mr.Bhim Sen Prasad, Advocate
(In CRIMINAL MISCELLANEOUS No. 60167 of 2024)
For the Petitioner/s : Mr.Aryan Singh, Advocate
For the Opposite Party/s : Mr.Bharat Lal, APP
(In CRIMINAL MISCELLANEOUS No. 62932 of 2024)
For the Petitioner/s : Mr.Manish Kumar -2, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP
(In CRIMINAL MISCELLANEOUS No. 64231 of 2024)
For the Petitioner/s : Mr.Gajanand Mishra, Advocate
For the informant : Mr.Yogesh Chandra Verma, Sr. Advocate
(In CRIMINAL MISCELLANEOUS No. 65511 of 2024)
For the Petitioner/s : Mr.Shivjee Singh, Advocate
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 25-11-2024 Heard learned counsel for the parties in all the batch cases as also Mr. Yogesh Chandra Verma, learned Senior Counsel representing the informant.

2. The petitioners are in judicial custody in connection with Tetarhat P.S. Case No. 98 of 2024 for the offence punishable under Sections 342, 341, 323, 307, 364(A), 120(B), 506/34 of the Indian Penal Code lodged on 25.05.2024 by the



informant, Md. Ilias.

3. As per the prosecution story, the informant alleged that Deepak Kumar received a call from the X number for booking of the D.J. whereafter, Deepak Kumar alongwith son of the informant, Md. Mustafa went to the place. After some time, Deepak Kumar returned alleging that the person who had made a call for booking D.J. was sitting in the Baleno Car forcibly took them inside and assaulted. He anyhow managed to escape but Md. Mustafa has been taken away. Later, through another mobile number Y, a ransom of Rs. 15,00,000/- was made. Deepak Kumar was taken to Sadar Hospital, Lakhisarai, FIR was lodged.

4. Subsequently, the Police acted swiftly and moving on the mobile numbers that were part of the record from which calls were made, culprits apprehended, Md. Mustafa rescued and the accused were arrested.

5. Learned counsel for the petitioners submit that the entire story seems improbable inasmuch as, according to them, they wanted to kidnap Deepak Kumar for which the phone call also came that a wrong person has been kidnapped. How as such Deepak managed to escape, the kidnapped person, Md. Mustafa in his statement has not named this petitioner and lastly no TIP



conducted despite they being in custody.

6. Mr. Yogesh Chandra Verma, learned Senior Counsel on the other hand has taken this Court to the different paragraphs of the case diary to submit that the entire story gets corroborated from the confessional statement of Monu Kumar in which he has described the entire episode in detail including the role of Kundan Kumar who gave the Baleno Car, the accused were in economic crisis and wanted to make something big and in the process, planned kidnapping for ransom. He submits that only because it failed that cannot be a ground for releasing the petitioners.

7. This Court has gone through the facts of the case as also the submissions put forward by the learned counsels for the petitioners and the learned Senior Counsel representing the informant. From the facts, it is clear that the petitioners were in the role of kidnapping, their target was Deepak but he managed to escape and Md. Mustafa was taken away. Unfortunately, they made a call from their own number which led to the police to caught hold of them as also rescued Md. Mustafa.

8. So far as false implication is concerned, upon query, learned counsel for the petitioners failed to submit that any complaint was made before the concerned Superintendent



of Police regarding such changes against the informant.

9. The allegation is grave, we are in quarter part of the 21st Century, the kidnapping business is still on, in such cases, relief cannot be extended to the accused persons. The bail applications of the petitioners stand rejected.

10. Since all of them are in custody, the Trial Court is requested to expedite the trial.

(Rajiv Roy, J)

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