

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76904 of 2024

Arising Out of PS. Case No.-704 Year-2021 Thana- BIHAR District- Nalanda

Indrajeet Kumar S/O Mr. Ramdev Thakur R/O Village- Barara, P.S-
Noorsarai, District- Nalanda, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Adv.

For the Opposite Party/s : Mr.Anish Chandra, APP

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

ORAL ORDER

3 13-12-2024 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 Sessions Trial No. 376 of 2022, arising out of Bihar P.S. Case No. 704 of 2021 dated 16.10.2021 registered for the offences punishable under Sections 364, 302, 201 and 120B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the son of the informant went to receive a table from Amazon Company. When the informant called on his mobile, the mobile was found switched off. Later on, someone from his mobile called the informant at 9.28 P.M. and told her that her son was in his captivity and demanded Rs. 5 Lacs as ransom and also



threatened to kill her son if she went to police.

4. Earlier the bail application of the petitioner was rejected vide Cr. Misc. No. 26983 of 2022 under order dated 10.10.2022 and vide Cr. Misc. No. 57374 of 2023 under order dated 06.10.2023 annexed as Annexure-1 to the present application taking into account the heinous nature of allegation as has been levelled against the petitioner and the learned court below was directed to expedite the trial and conclude the same preferably within a period of nine months.

5. This is third attempt on behalf of the petitioner for grant of bail.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in this case during the course of investigation. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that co-accused Deepak Kumar was the mastermind and the petitioner has no role in the alleged crime. Learned counsel for the petitioner has further submitted that the co-accused in his confessional statement has stated the modus operandi as to how the occurrence took place with the association of the petitioner



and the other co-accused persons and only on this basis he has been implicated in this case. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 19.10.2021.

7. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that a mobile containing SIM of the deceased was recovered from the possession of the petitioner from which ransom was demanded from the informant. The aforesaid act indicates direct involvement of the petitioner in the crime alleged.

8. Vide order dated 13.11.2024, a report was called for from the court below regarding the present stage of the case. In pursuance of the aforesaid order dated 13.11.2024, a report vide Letter No. 143 dated 20.11.2024 has been received from the court of learned Additional District & Sessions Judge-VIII, Nalanda, Bihar Sharif. From the report, It is evident that on 16.09.2022, the charge was framed against the petitioner and the two other accused persons, 6 prosecution witnesses have been examined and 4 more witnesses are yet to be examined including the Investigating Officer and the next date fixed for prosecution evidence is on 27.11.2024.

9. 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 grant bail to the petitioner. The same is rejected in connection with Sessions Trial No. 376 of 2022, arising out of Bihar P.S. Case No. 704 of 2021, pending in the court of learned Sessions Judge, Nalanda at Biharsharif.

10. The bail petition stands rejected.

(Chandra Prakash Singh, J)

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