

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76117 of 2023

Arising Out of PS. Case No.-183 Year-2023 Thana- BELHAR District- Banka

PRAMOD YADAV SON OF LATE GOPAL YADAV RESIDENT OF
VILLAGE- BAGAMA, POST- BHIKHADIH, P.S.- BELHAR, DISTRICT-
BANKA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan Sinha

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 07-03-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Belhar P.S. Case No. 183 of 2023 dated 30.04.2023 registered for the offence under Section 364 of the Indian Penal Code.

3. The allegation against the petitioner as per the F.I.R. is that on the date of occurrence the petitioner and others abducted Alok Kumar Jha, who is the owner of CNF office, while he was going to deal with someone with the informant riding on Scorpio vehicle near Gerua village.

4. Learned counsel for the petitioner submits that the allegations levelled against the petitioner in the F.I.R. are



baseless, imaginary and manufactured. He submits that no specific allegation is attributed to the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced in this case during the course of investigation on the basis of confessional statement of the non F.I.R. accused persons namely, Sarvesh Kumar Yadav, Ravi Kumar and Lalmani Pandit. He next submits that the statement of the victim- Alok Kumar Jha has been recorded under Section 164 Cr.P.C. in which he did not disclose the name of the petitioner as one of the kidnappers. He submits that the petitioner has got clean antecedent.

5. I have heard learned counsel for the parties and have perused the materials available on record including the order of learned A.D.J.-IV, Banka. From perusal of the order of the learned Sessions Judge it is apparent that the petitioner and others have abducted Alok Kumar Jha for demand of ransom. The informant in his restatement made in paragraph no. 2 of the case diary and other witnesses in paragraph nos. 6, 31 and 57 of the case diary have fully supported the case of the prosecution. Moreover, C.C.T.V. footage of the place of occurrence also supports the



prosecution version.

6. Considering the aforesaid facts and circumstances and gravity of the offence, I am not inclined to grant anticipatory bail to the petitioner. The same stands rejected.

(Anil Kumar Sinha, J)

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