

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82580 of 2023

Arising Out of PS. Case No.-470 Year-2023 Thana- BARH District- Patna

Suraj Mahto S/O Bhushan Mahto R/O Village- Dariapur, P.S- N.T.P.C. Barh,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uma Shankar, Advocate
		Mr. Binod Murari Mishra
For the Opposite Party/s :		Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 28-06-2024 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in the present case registered for the offence under Sections 364(A), 34 of the Indian Penal Code.

3. A six year old son of the informant was kidnapped. He was recovered due to the pressure of the police. Petitioner's involvement has been found by the police during investigation and he is in jail since 11.09.2023.

4. Learned counsel for the petitioner; *Shri Uma Shankar* submits that the case of the petitioner is distinguishable from the case of other co-accused persons as the only allegation against the petitioner is that he had given the sim card to the



criminals and he has not been identified by the victim who has identified the other criminals involved in the kidnapping.

5. In his confessional statement co-accused *Nitish Kumar* has said that sim card was provided by the petitioner. During interrogation of *Rohit Kumar* and *Nitish Kumar*, the name of all the accused persons was disclosed and the petitioner was named by them.

6. From the Mobile No. 8271095475 belonging to the petitioner, the ransom call was made. The driver of the Scorpio vehicle who is a witness in this case has said that while the victim was being taken on the Scorpio vehicle, some persons came and handed over the sim.

7. Learned A.P.P. has vehemently opposed the prayer for bail and has submitted that this is a case of kidnapping of a six year old son of the informant and the petitioner's involvement has come during investigation.

8. Ransom call was made from the mobile of the petitioner. The petitioner is a part of the conspiracy to kidnap the victim right from the very beginning.

9. The bail of all other similarly situated co-accused persons namely *Nitish Kumar*, *Ravikant Kumar*, *Pankaj Raj* and *Suraj Kumar @ Suraj Mistri* has already been rejected



by this Court.

10. Since the petitioner is involved in the kidnapping of a six year old boy, I am not inclined to grant bail to the petitioner.

11. Accordingly, this application for regular bail is hereby rejected.

(Sandeep Kumar, J)

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