

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63137 of 2024**

Arising Out of PS. Case No.-918 Year-2020 Thana- PATNA COMPLAINT CASE District-  
Patna

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1. Akhilesh Kumar @ Akhilesh Kumar Srivastav S/o Suresh lal @ Suresh Prasad Srivastav R/o Village- Paltanganj, Sakribazar, P.S.- Taljhari,, District- Sahebganj, Jharkhand
  2. Mukesh Kumar Sriwastav @ Mukesh Kumar Srivastav S/o Suresh Lal @ Suresh Prasad Srivastav R/o Village- Paltanganj, Sakribazar, P.S.- Taljhari,, District- Sahebganj, Jharkhand
  3. Jay Prakash Rai S/o Bhabishan Rai R/o Village- Hathigad, P.O.- Sakrdi Gali, Banskola Ghat, P.S.- Taljhari, District- Sahebganj, Jharkhand
  4. Santosh Kumar Sah S/o Mahesh Prasad Sah @ Hazari Sah R/o Village- Habibpur, P.S.- Town Thana, District- Sahebganj, Jharkhand ... Petitioners
- Versus
1. The State of Bihar
  2. Brinal Singh S/o Mritunjay Kumar Singh R/o Village- Danara, P.S.- Bikram, District- Patna ... ... Opposite Parties
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**Appearance :**

For the Petitioner/s : Mr.Ambrish Kumar Jha, Advocate  
For the Opposite Party/s : Mr.Syed Mojibur Rahman, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

5      28-04-2025                      Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 357, 364A, 365, 379, 383, 384, 385, 323, 506, 120B/34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, petitioner no.3, in a planned conspiracy, lured complainant to go to Katihar on the pretext of land deal. Thereafter, petitioners and other accused persons kidnapped him at gunpoint and demanded Rs.76 lacs as ransom. Accused persons assaulted the complainant, forcibly took his car and also coerced him to sign papers. Petitioner no.3 took the complainant to Panchayat Bhawan and locked him for



some time.

4. It is submitted on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. In fact, no such occurrence has taken place. Complainant is real estate contractor and developer. In a meeting, complainant expressed desire to the petitioners to purchase land in Katihar for constructing Shopping Complex. It is submitted that upon inquiry, petitioners came to know that the land earmarked by the complainant for shopping complex was subject matter of legal dispute and did not belong to the complainant and thereafter petitioners withheld their support from raising funds for the project which made the complainant furious resulting in filing of this false and concocted case. Complaint has been lodged after delay of nine days without any explanation which renders the entire prosecution case doubtful. Petitioners claim clean antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing



bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1<sup>st</sup> class, Patna Sadar/concerned court in Complaint Case No. 918C/2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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