

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63474 of 2024

Arising Out of PS. Case No.-23 Year-2023 Thana- BELA District- Sitamarhi

Vijay Kumar Tiwari, S/O Ramashankar Tiwari, Resident of Village- Dhanha,
P.S.- Bela, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

7 02-04-2025 Heard Mr. Ashok Kumar Jha, learned counsel for the

petitioner and Mr. Syed Mojibur Rahman, learned APP for the

State.

2. The petitioner has prayed for bail in connection
with Bela P.S. Case No.23 of 2023 registered for the offence
punishable under Sections 364A, 302, 120B and 201/34 of the
Indian Penal Code.

3. The case of the prosecution is that the son of the
informant, namely, Vishnu Prasad Sah having mobile number
of 9779819627476 told to him on mobile that he is going with
his friend Rohit Kumar and Krishna Pandit on pulsar bike
towards India border, Bela P.S. on 12.01.2023. When he did not
return for a considerable time, the informant started searching.
During search, Krishna Pandit disclosed him that his son has



crossed the India border. The informant received call on his mobile from the mobile of his son on 13.01.2023 and Rs. 10 lakhs was demanded by the caller who was not his son. On 14.01.2023, another phone call was received by the informant wherein Rs. 50 lakhs was demanded otherwise his son and Rohit Kumar will be killed. Anyhow, the matter was settled in Rs. 20 lakhs. On 21.01.2023, the informant went at the specified place in Bela P.S. with Rs. 20 lakhs, but nobody came there and the mobiles were switched off. When the informant asked Krishna Pandit in presence of villagers then he disclosed that his son and Rohit Kumar have been kidnapped by the petitioner and others and only they were demanding the ransom.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has further been submitted that the name of this petitioner has surfaced in the statement of Krishna Pandit. During investigation, three persons were apprehended by the police. One Ajay Baitha gave his confessional statement before police and in his confessional statement, he has given every details as to how the offence was committed and the only role attributed to this petitioner is that he has provided a sim from



which call was made to the informant. On the basis of disclosure of Ajay Baitha, the dead body was also recovered. The learned counsel for the petitioner has submitted that said sim which is said to be of the petitioner does not belong to him. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 12.01.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sadar, Sitamarhi in connection with Bela P.S. Case No. 23 of 2023.

(Ashok Kumar Pandey, J)

lata/-

U		T	
---	--	---	--

