

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79958 of 2024

Arising Out of PS. Case No.-773 Year-2023 Thana- BIDUPUR District- Vaishali

Manish Ray @ Manish Kumar Son of Satendra Ray Resident of village -
Naya Tola Majlispur, P.S.- Bidupr, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Md. Mr. Soban Asghar, Advocate Mr. Ashad, Advocate
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 17-02-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Bidupur P.S. Case No. 773 of 2023 instituted for the offence
under Sections 364, 365, 120(B) & 34 of the Indian Penal Code.

3. As per prosecution case, informant reported that his
6-years-old son, went missing from his home in Vaishali and
remains untraceable despite extensive searches.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 29-06-2024. Petitioner
bears two criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has surfaced in this case during course of investigation. There is no eye witness to the occurrence. Learned counsel submits that police after investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that victim is still traceless. Referring to paragraph No. 33 of the case diary, it is submitted that petitioner has deposed before *panchayat* conducted in the village that petitioner assured the informant to return his child. Other witnesses have also supported the case of the prosecution, which fact finds mention at paragraph Nos. 34 35, 36 & 37 of the case diary.

7. Considering the aforesaid facts and circumstances of the case, taking into account the fact that petitioner has assured the informant to return his child, which suggests his complicity in the occurrence, this Court, at this stage is not inclined to grant bail to the petitioner. Prayer for grant of bail is, accordingly, ***rejected***.

8. The Trial Court is directed to expedite the trial



as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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