

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2776 of 2025

Arising Out of PS. Case No.-193 Year-2023 Thana- MEHANDIGANJ District- Patna

Manoj Kumar @ Manoj Rai @ Manoj Kumar Yadav S/o Jaddu Rai @ Jadu Rai @ Yaddu Rai Resident of village- Sidhi Ghat, Police Station- Khajekalan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Smita Kumari, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 09-04-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. Petitioner is in custody in a case registered for an offence punishable under Sections 363, 364(A) of the Indian Penal Code.

3. As per allegation in the FIR, the informant Mohan Prasad given his written report that his son Raja Babu @ Anand Kumar (deceased) went with motorcycle for some work on 21.10.2023 but he did not returned, when on the same night at about 10:47 P.M. the informant tried to contact his son through calling on his mobile then some other person received all and abused him and asked to pay Rs.25000/- failing which his son would not be released.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in this case. Petitioner is in custody since 25.10.2024. He further submits that petitioner is not named in the FIR. He further submits that name of the present petitioner has been transpired during the course of investigation and from confessional statement of the witnesses Kundan Kumar and Chandan Kumar in para 90 and 91 of the case diary, respectively. He further submits that petitioner has got three criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that petitioner.

6. On perusal of the first information report, case diary and impugned order dated 10.09.2024 it appears that during the investigation the petitioner was arrested by the police and after his confessional statement, the motorcycle of the informant's son (deceased) bearing Registration No. BR01FR-8035 has been recovered from the present petitioner, namely, Manoj Kumar and also the fact that whole prosecution case has been supported by witnesses and statement of the witnesses has been recorded in para-90 and 91 of the case diary petitioner has got three criminal antecedents and all are registered for serious



nature of offence, so considering all aspects of the case, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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