

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53143 of 2016

Arising Out of PS.Case No. -97 Year- 2016 Thana -KHANPUR District- SAMASTIPUR

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Uday Kumar, S/o Vishwanath Sahay, Resident of Village- Shahpur, P.S.
Khanpur, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 364, 365, 120B of the Indian Penal Code and Section
25(1-b)A/26/35 of the Arms Act.

The prosecution story in brief, is that the co-accused
namely Prashant Kumar and Suryans Kumar have kidnapped the
daughter of Ganga Prasad on the point of pistol and kept her in a
house, where the petitioner being father of co-accused Prashant
Kumar was watching her. It is further alleged that from the
possession of co-accused Prashant Kumar, one pistol loaded with
four cartridges along with five cartridges and one Khokha have
also been recovered from his pant. From possession of co-accused



namely Suryans Kumar 14 cartridges are said to have been recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.09.2016. The charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The victim has been examined under Section 164 of the Cr.P.C. She has not named the petitioner. The specific allegation has been made against the other co-accused persons namely Prashant Kumar and Suryans Kumar.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Samastipur in connection with Khanpur P.S. Case No. 97 of 2016.

(Sudhir Singh, J.)

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