

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62339 of 2019

Arising Out of PS. Case No.-293 Year-2019 Thana- KUDHNI District- Muzaffarpur

PRABHAT KUMAR S/o Abadh Kishor Singh R/o village- Vyas Chak, P.S.-
Goraul, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 11.5.2019 in a case registered for the offences punishable under Sections 341,342,323,364,504 and 506/34 of the I.P.C.

The prosecution case as per the written report of Sarita Devi submitted to the SHO, Kudhni (Fakuli OP) Police Station, is to the effect that co-accused Surendra Puri and the petitioner, Prabhat Kumar called the husband of the informant to provide him some work and thereafter he was entrusted to the petitioner. It is further alleged that both of them assaulted and confined the husband of the informant in a room, when the husband of the informant conveyed her by mobile phone. The reason for assault is that the husband of the informant had taken a loan amount of Rupees Ten



Thousand for the purpose of starting a business from the petitioner for which the informant's husband was kidnapped earlier by the petitioner also and on great persuasion, he was released by the petitioner.

It is submitted by learned counsel for the petitioner that the FIR has been registered after much inordinate delay, moreover, there is no accusation of kidnapping against the petitioner. It is further submitted that the informant has subsequently retracted from the initial version and has filed a petition to that effect before the learned court below. It is further submitted that co-accused Surendra Puri has been granted bail by a co-ordinate bench of this Court vide order dated 17.10.2019 passed in Cr. Misc. No.63470 of 2019. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner assisted the co-accused in kidnapping of the husband of the informant.

Considering the delayed lodging of the case, investigation already being concluded, statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent and the period in custody, 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
ACJM(West), Muzaffarpur in connection with Kudhani
P.S. Case No.293 of 2019.

(Dinesh Kumar Singh, J)

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