

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10259 of 2020

Arising Out of PS. Case No.-614 Year-2019 Thana- KHAJANCHI HAT District- Purnia

MITHUN SHARMA, (M), aged about 26 years, Son of Subodh Sharma,
Resident of Village - Dhamdaha, P.S.- Dhamdaha, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Raj Kumar, Advocate.

For the Opposite Party : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 15-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case registered for the
offences under Sections 364/34 of the I.P.C.

The prosecution story, in brief, is that on 17.08.2019
Deepak Kumar, the grand-son (Nati) of the informant, went to
Ashique Garage for repairing of his Tempo but he did not return.
The informant, who is the grand-mother (Nani) of the kidnapped
person, has alleged that her grand-son always complained about
Pankaj Yadav, Md. Mozim and Krishna Sah, who



always troubled him. When the grand-son of the informant went missing, she suspected the hands of the aforesaid three persons.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 27.08.2019 and has got no criminal antecedent. Charge sheet has been submitted in the present case under Sections 396, 201 and 412 of the I.P.C. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of confessional statement of co-accused. Except suspicion, there is no other evidence to suggest the implication of the petitioner in the present case. Other co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 9994 of 2020 under order dated 01.06.2020.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on hisr personal bond to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with K. Hat P.S. Case No. 614 of 2019.



Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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