

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25790 of 2020**

Arising Out of PS. Case No.-113 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RUPESH KUMAR, Son of Pramod Kunwar @ Pramod Kumar Resident of
Village - Gokhle Nagar, Bishanpur, P.S.- Ballia, Distt - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : A.P.P

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 15-10-2020 In view of the submission and the undertaking of the learned counsel for the petitioner, at the time of hearing of this application through video conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 28.09.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Muffasil P.S. Case No. 113 of 2020, registered under Sections 364, 302 and 201/34 of the Indian Penal Code and Section 27 of the Arms Act.



The accusation is that due to dispute Raushan Kumar, son of informant Baby Devi, used to reside on rent in the house of Rita Devi, was kidnapped by Sukho Singh, Bihari Singh son of Ranjit Singh and Ranjit Singh with the help of two unknown. When her son did not return till 01.03.2020 then search was made, but no trace was found.

Learned counsel appearing for the petitioner submits that in course of investigation, Rita Devi landlady of rented house of deceased Raushan Kumar disclosed that Sukho Singh, Bihari Singh son of Ranjit Singh, Ranjit Singh and two other unknown persons accompanied the Raushan Kumar boarding on motorcycle and that motorcycle was found in the name of petitioner. Further submission is that, in fact, Bihari Singh, F.I.R. named accused, is Bhagina of the petitioner and petitioner used to reside at the house of Bihari Singh because he is alone in the family. He further submits that the motorcycle of the petitioner was taken by Bihari Singh and his associates and petitioner had no knowledge that his motorcycle was being used by them in the kidnapping. The petitioner is in custody since 04.03.2020.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released



on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten
Thousand) with two sureties of the like amount each to the
satisfaction of the learned Chief Judicial Magistrate, Begusarai
in connection with Muffasil P.S. Case No. 113 of 2020.

(Rajendra Kumar Mishra, J)

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