

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73897 of 2019

Arising Out of PS. Case No.-302 Year-2019 Thana- SAKRA District- Muzaffarpur

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PAWAN KUMAR MAHTO @ PAWAN KUMAR, (Male), aged about 24 years, Son of Jangbahadoor Mahto, Resident of Village-Dih Thamka, P.S.- Bibhutipur, District-Samastipur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Anuj Kumar, Advocate.

For the Opposite Party : Mr.Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 16-03-2020 A supplementary affidavit has been filed on behalf of the petitioner. Let it be kept on the record.

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

The petitioner seeks bail in a case for the offence registered under Section 364(A) of the IPC.

The prosecution story, in brief, is that on 19.06.2019, in the evening at 6.00 P.M., the son of the informant, namely, Ashok Kumar aged 35 years, went to Budh Market, Muzhaulia but did not return till late night and the informant thereafter started making search of his son. In the morning at 5.30, he received a phone call of his son saying Rakesh Mahto has kidnapped him and is making demand of Rs. 10,00,000/-. Thereafter, Rakesh Mahto said on that mobile that his son is in his custody and his son will be released on payment of Rs.



10,00,000/-.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 23.06.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The victim has already been recovered. The victim has filed a petition in the learned court below where he has retracted from his earlier statement made in the F.I.R. The same is Annexure-3 to the supplementary affidavit.

On behalf of the State, it is 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 bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judge-VIIIth-cum-A.C.J.M. IV, Muzaffarpur in connection with Sakra P.S. Case No. 302 of 2019.

(Sudhir Singh, J)

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