

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13426 of 2021**

Arising Out of PS. Case No.-469 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

KAMALESH KUMAR @ AMALESH KUMAR @ KAMLESH KUMAR
S/O SRI RAMBABU RAI R/O VILLAGE-SITALPATTI, P.S.-SIWAIPATTI,
DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mrs. Veena Rani Jaiswal

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 10-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 364A/120B/34 of the Indian Penal Code.

The son of the informant is said to have been kidnapped by some unknown miscreants for extorting ransom.

It is submitted by learned counsel for the petitioner



that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case on the confessional statement of co-accused. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. No T.I. parade has been conducted. The mobile number from which the ransom was demanded does not belong to the petitioner. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the victim boy, namely, Chhahat Kumar has given his statement under Section 164 Cr.P.C. in which he has not named the petitioner. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused which has no evidentiary value in the eye of law. Several co-accused have been enlarged on bail by different coordinate Bench of this Court. The petitioner has no criminal antecedent and has been languishing in custody since 04.09.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sahebganj (Sahibganj) P.S. Case No.469 of 2020.

(Anjani Kumar Sharan, J)

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