

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19948 of 2021

Arising Out of PS. Case No.-37 Year-2020 Thana- KISHUNPUR District- Supaul

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SHANKAR KUMAR SHARMA @ SHANKAR SUTIHAR, Son of Sri Jagdish Sutihar, Resident of Village - Murli, Ward No. 10, P.S. - Kishanpur, District - Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashwani Kumar Tiwary, Adv.
For the Opposite Party/s : Mr.Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2021 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 as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 365, 34 of the Indian Penal Code.

Allegation against the petitioner alongwith other accused persons is said to have kidnapped the husband of the informant.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the allegation against the petitioner alongwith other co-accused persons have kidnapped the husband of the victim. The statement of victim recorded under Section 164 Cr.P.C. stated that the co-accused, namely Raj Kumar Jha and the petitioner have lastly seen by the victim on the said very pool and the victim has further stated that since he has filed case against co-accused Raj Kumar Jha i.e. why he might have got him kidnapped. Further stated that the petitioner has got no role in kidnapping in the victim and co-accused Raj Kumar Jha might have motive and petitioner has no connection with Raj kumar Jha. There is no specific overt act against the petitioner. The petitioner is languishing in judicial custody since 27.12.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State vehemently opposed the prayer for bail application.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Kishanpur P.S. Case No. 37/2020 to the



satisfaction of learned Court below where the case is pending/
successor Court.

(Anjani Kumar Sharan, J)

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