

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32160 of 2021

Arising Out of PS. Case No.-224 Year-2020 Thana- KOPA District- Saran

GUDDU SINGH Son of Shri Ram Singh Resident of Village - Majlishpur,
P.S.- Kopa, District - Saran at Chapra Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Ms. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Kopa Police Station Case No. 224 of 2020, registered for the offences punishable under Section 364-A of the Indian Penal Code.

The prosecution case, as per the First Information Report registered on the basis of the fardbayan of one Deepak, is that he, along with his three friends, namely, Harsh, Pravin Kumar and Sudhir Kumar, had come to Chapra, Bihar from Haryana and stayed at Raj Hotel, Chapra. It has further been stated that one Bhushan Singh, who was familiar to one of his friends, Sudhir Kumar, took the informant and his friends, in a swift car, to the poultry farm of one Vikash Singh, situated in village Samhoutha and thereafter, they were made captive and all the accused persons, including the petitioner, started demanding



ransom from Sudhir Kumar and also assaulted him. It has further been alleged that the accused persons took Sudhir Kumar with them from the poultry farm. It has further been alleged that thereafter the informant and his two friends anyhow managed to escape from the poultry farm on the swift car, which was standing outside the poultry farm and reached to Kopa Police Station and informed the police about the occurrence.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to some dispute relating to business between the accused persons and the informant. He further submits that there is contradiction between the contents of the First Information Report and the statement of victim Sudhir Kumar, recorded under Section 164 of the Code of Criminal Procedure, 1973. He further submits that in the First Information Report, the informant has stated that Sudhir Kumar was kept captive by the accused persons and the informant, along with his two friends, managed to escape; whereas in paragraph 12 of the statement of Sudhir Kumar, recorded under Section 164 of the Code of Criminal Procedure, 1973, the victim Sudhir Kumar has stated that his three friends were kept captive by the accused persons in the poultry farm and the victim Sudhir Kumar was allegedly told by the accused



persons to bring his truck, loaded with blankets and four accused persons will also accompany the said victim in order to bring the loaded truck. He next submits that the petitioner is in custody since 06.12.2020, having no criminal antecedent.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record in its totality and the fact that there is contradiction in the First Information Report and the statement of victim Sudhir Kumar, recorded under Section 164 of the Code of Criminal Procedure, 1973 and the petitioner is in custody since 06.12.2020, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Saran, at Chapra, in connection with Kopa Police Station Case No. 224 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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