

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34751 of 2020

Arising Out of PS. Case No.-132 Year-2020 Thana- MASAUDHI District- Patna

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MADHESH KUMAR @ CHHOTI, Gender-Male, age 36 years, S/o Shiv Prasad, R/O Village Pachpanpar, Bairamachak, PS-Masaurhi, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mrs. Nirmala Kumari, Advocate.

For the Opposite Party : Smt. Pushpa Sinha-2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-01-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

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

The petitioner seeks bail in a case for the offence registered under Sections 364/34 of the I.P.C.

The prosecution story, in brief, is that on 25.02.2020, the son of the informant, namely, Purushottam, aged about 22 years, left the house at 10.30 A.M. to attend his coaching class at Patna. On his way, co-accused Mantush Prasad, Madhesh Kumar alias Chotiya (petitioner) and co-accused Shiv Prasad forcibly took him in a Tempo bearing Registration No. BR-25P-



6442. The informant was informed by some villagers that his son was kidnapped for the purpose of murder. The informant tried to contact his son on Mobile Phone but his Mobile Phone was switched off. The informant and his family members searched his son everywhere but the victim was not traced. It is further alleged that a threatening call of dire-consequences was received on the Mobile Phone of his nephew Munna Kumar.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 18.05.2020. 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 been made accused in the present case due to mistake of fact. The victim boy is alleged to have got married with one Akansha Kumari. The petitioner has got no concern with the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of the learned S.D.J.M., Masaurhi, Patna, in
connection with Masaurhi P.S. Case No. 132/2020.

(Sudhir Singh, J)

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