

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40117 of 2020**

Arising Out of PS. Case No.-180 Year-2019 Thana- KUMAR KHAND District- Madhepura

PRAKASH SHARMA, SON OF SHAMBHU SHARMA, RESIDENT OF
VILLAGE- PARSAGADHI, P.S. JADIYA, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-02-2021 Heard Mr. Kamal Kishore Singh, learned Counsel
for the petitioner and Mr. Surendra Prasad Singh, learned
Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises
out of Kumarkhand Police Station Case No. 180 of 2019,
disclosing offences under Section 364/34 of the Indian Penal
Code.

The allegation, as per the First Information
Report is that son of the informant was kidnapped by three
persons, however, after few ours, the son of the informant was
recovered and co-accused, Ramesh Kumar@ Muniya was
arrested who disclosed the name of the petitioner and others.

Learned counsel for the petitioner submits that



the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to some dispute between the parties. Learned counsel next submits that petitioner has got no criminal antecedent and co-accused, Ramesh Kumar @ Muniya, who was arrested on the spot after a few hours of kidnapping along with kidnapped boy, has been granted bail by a Coordinate Bench of this Court vide order dated 16.03.2020 passed in Cr. Misc. No.80933 of 2019 and the petitioner is in custody since 11.06.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner has got no criminal antecedent and he is in custody since 11.06.2020 and similarly situated accused persons, who was arrested on the spot along with kidnapped boy, has been granted bail by this court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Prakash Sharma, 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 S.D.J.M., Madhepura, in connection with Kumarkhand Police Station Case No. 180 of 2019.



It is made clear at the time of furnishing bail bond,
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J.)

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