

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39974 of 2020

Arising Out of PS. Case No.-388 Year-2020 Thana- FATUA District- Patna

KUNDAN KUMAR, Son of Ashok Prasad, Resident of Village- Hiranchak,
P.S.- Dhanarua, District- Patna ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Amarendra Nath Verma, Adv.

For the Opposite Party : Mr. A.M.P. Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-07-2021

As prayed for, through video conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 26.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioner seeks pre-arrest bail in connection with Fatuha P.S. Case No. 388 of 2020, registered under Sections 363 and 366(A)/34 of the Indian Penal Code.

The accusation is that in the evening of 28.05.2020 minor daughter of the informant left the house, while search was made, but, no trace was found. In course of search, it has come in the knowledge that Murari Kumar, brother-in-law of Pintu Kumar and son of Joginder, has enticed away her daughter for the purpose of marriage in which Pintu Kumar and Kundan Kumar (petitioner), cousin brother of Murari Kumar, have also hands.

Submission is that petitioner being the cousin brother of co-accused, Murari Kumar, has falsely been implicated in this case. Further, submission is that the statement of the victim was recorded



under Section 164 of the Criminal Procedure Code on 26.08.2020, which would appear from Annexure 2, in Court of Judicial Magistrate, 1st Class, Patna City, Patna, in which the victim has stated that ten persons were involved in her kidnapping in which Chandan Kumar, Madhu, Titu, brother of Pintu Kumar, and cousin brother of Pintu Kumar were involved. Petitioner is not the cousin brother of Pintu Kumar rather he is cousin brother of Murari Kumar.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender, within a period of four weeks from today, in connection with Fatuha P.S. Case No. 388 of 2020 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Patna City, Patna, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

U		T	
---	--	---	--

