

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48470 of 2021**

Arising Out of PS. Case No.-96 Year-2021 Thana- ARA NAWADA District- Bhojpur

Rinku Kumar, Son Of Sri Sanjay Kumar Sinha Resident Of Village - East
Gola Road, Bazar Samiti, Indraprasth Colony, P.S. - Danapur, District - Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vijaya Laxmi Srivastwa

For the Opposite Party/s : Mr. Navin Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 29-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
364A, 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the informant alleges
that his father Ram Dayal Singh had purchased eight bigha of
land at Bihia, the purchased land was partitioned in four parts
amongst his four brothers namely, Binod Kumar Sinha
(informant), Sanjay Kumar Sinha, Ajay Kumar Sinha and Sunil
Kumar Sinha. It is next alleged that out of this land, he had sold
some part in favour of Hira Lal Singh and others and was going
to sell remaining 11½ kattha of land to his prospective purchaser



when he received a call on his mobile from the mobile of his son Nitish Kumar and the caller said that if he would execute the sale deed, he would not see the face of his son as he would be killed. Accordingly, the informant approached the local administration and the police after hectic effort, recovered the son of the informant. It is thus alleged that petitioner and co-accused persons named in the F.I.R. had role in kidnapping of his son.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. The petitioner is own nephew of the informant and admittedly, there is land dispute between the parties. It is next submitted that on the date of occurrence, the petitioner was in judicial custody in connection with Pipra P. S. Case No.28 of 2016, as such, the informant very wisely implicated the petitioner by alleging that he had planned the occurrence.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner was in judicial custody on the date of occurrence and admittedly, there is land dispute between the parties and the informant and the



petitioner are relative, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ara Nawada P. S. Case No.96 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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