

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47561 of 2022

Arising Out of PS. Case No.-53 Year-2022 Thana- DHARHARA District- Munger

SUMIT KUMAR S/o Kapildeo Mahto R/o village- Manikpur, P.S.-
Surajgarha, District- Lakhisarai (Munger)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Shukla, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-12-2022 Heard Mr. Ravindra Kumar Shukla, learned
Advocate for the petitioner and Mr. Raj Ballabh Singh for
the State.

The petitioner, who is in custody since
28.03.2022, seeks bail in connection with Dharhara P.S.
Case No. 53 of 2022 dated 28.03.2022 instituted for
the offences under Sections 364, 364(A), 120(B) and 34
of the Indian Penal Code.

The son of the informant was kidnapped while
he was going to play. Later, the son was recovered
whose 164 Cr.P.C. statement has been recorded. In the
aforesaid statement he has named one Prashant Kumar
and one of his accomplices, whom he did not know.
Later he was released by the intervention of the police.
The petitioner is stated to be the other associate of



aforesaid Prashant.

However, Mr. Shukla, learned counsel for the petitioner has submitted that the petitioner has brilliant academic record and for some inexplicable reason, co-accused Prashant who has been named by the victim in the 164 statement has taken the name of the petitioner.

Apart from such confession of an arrested accused person, there is no other material to connect the petitioner with the offence. He further submits that he has by now remained in jail for approximately eight months and there is no likelihood of the trial being concluded in near future.

The petitioner does not have criminal antecedents.

Considering all these facts, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Dharhara P.S. Case No. 53 of 2022.

(Ashutosh Kumar, J)

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