

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49039 of 2022**

Arising Out of PS. Case No.-183 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Vivek Kumar S/O Umesh Singh, Resident Of Village- Amra, P.S.- Sasaram
(M), District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 24-12-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Sasaram Nagar (Darigaon) P.S. Case No. 183 of 2022 lodged
under Section 364(A) of the I.P.C.

As per prosecution case, the kidnapping of father of
the informant took place and F.I.R. has been filed by his son in
which he has not named any person rather 5 unknown persons
were made accused.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. and his name has come in
this case by virtue of the confessional statement of one Aditya
Kumar. There is one criminal case pending against the petitioner
in which he is on bail. He further submits that petitioner is in
custody since 09.03.2022 and there are two other co-accused

has been granted bail by the Co-ordinate Bench of this Court.

Learned counsel for the State opposes the prayer for bail and submits that from the order sheet of the Sessions Judge it transpires that the kidnapped person was recovered from the identified location of the co-accused Aditya Kumar on whose confession the name of the petitioner has come in this case. Since recovery of the kidnapped person has been made by the virtue of the statement of Aditya Kumar, therefore, the statement of the Aditya Kumar cannot be ignored.

In this view of the matter, I am not inclined to grant bail to the petitioner at present, therefore, the bail application of the petitioner is hereby **rejected**.

But liberty is hereby granted to the petitioner that he shall renew his prayer for bail after framing of charge and Trial Court is directed to release the petitioner on bail imposing its own conditions so that he shall not evade his appearance during trial.

(Dr. Anshuman, J.)

ravishankar/-

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