

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52593 of 2022

Arising Out of PS. Case No.-249 Year-2021 Thana- BIHTA District- Patna

Harendra Kumar Singh, (Male), aged about 61 years, S/O Late Girijanand Singh, R/O Village Makhdumpur, P.S. Bihta, District -Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Chetan Kumar, Advocate

For the Opposite Party : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Learned counsel for the petitioner is directed to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioner seeks bail in connection with Bihta P.S. Case No. 249/2021 registered for the offence under Sections 363 and 365 of the I.P.C. Later on, Sections 302, 201, 120(B) read with Section 34 of the I.P.C. were also added.

The prosecution case, in brief, is that on 23.03.2021, while the informant was going to brick-kiln, his two sons, namely, Saurav Kumar and Gulshan Kumar, from his first wife came to meet him for purpose of digging a pond for fishing, as per the wishes of their mother, but the informant did not respond



to their proposal and thereafter they returned from there by their Tata Safari vehicle. It is further alleged that near the place of occurrence, two minor sons of the informant, from his second wife, namely, Anis Kumar and Shivam Kumar were playing. Thereafter the accused persons abducted them in the said vehicle and it is further alleged that the informant tried to chase them alongwith near by people, but could not caught them.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.06.2022. He has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has transpired in the present case on the basis of confessional statement of co-accused. Except for confessional statement, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Other co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 46336 of 2021 under order dated 05.07.2022.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of



the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Danapur, in connection with Bihta P.S. Case No. 249/2021.

(Sudhir Singh, J)

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