

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69654 of 2021

Arising Out of PS. Case No.-168 Year-2020 Thana- PUNAURA District- Sitamarhi

Bittu Kumar @ Aman Kumar, S/o- Vinay Kumar Singh Resident of Village -
Matauna, P.S. - Sursand, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar,Advocate

For the Opposite Party/s : Mr.Binod Kumar,APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 28-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Panaura P.S. Case No. 168 of 2020 registered for the alleged offences under Section 364(A)/34 of the Indian Penal Code.

As per prosecution case, wife of the informant was kidnapped by unknown miscreants while she had been going to her clinic by her vehicle. The name of the petitioner came up as an accused during investigation.

The learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The name of the petitioner came up in the confessional statement of co-accused Dhiraj Kumar who was apprehended from the vehicle when the kidnapped lady was recovered by the police. But she did not identify this petitioner. The petitioner is a student who passed intermediate examination in 2020. The petitioner is in custody since 23.08.2021 and the charge-sheet has been submitted in this case. The petitioner has got clean antecedent.

Learned APP opposes the prayer for bail submitting that the petitioner was named by the kidnapped lady when her statement recorded by the police and the petitioner was also involved in conspiracy of kidnapping for ransom.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against this petitioner to connect him with the alleged crime and further considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Panaura P.S Case No. 168 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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