

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3689 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- VIDYAPATINAGAR District- Samastipur

SHAMBHU KUMAR SINGH @ SHAMBHU PRASAD SINGH Son of
Hemant Prasad Singh Resident of Village - Harpur Bochaha, P.S.- Vidyapati
Nagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Vidyapati Nagar P.S. Case No. 19 of 2022,
registered for the offences punishable under Sections 363,
366/34 of the IPC.

As per FIR, the accused Ritik Raj @ Harsh
abducted wife and minor daughter, aged about 2.5 years of the
informant. The accused persons also took away the cash and
jewellery items from his house.

The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He has submitted further that the allegation of



kidnapping the wife of the informant is against co-accused Ritik Raj @ Harsh, and not against the petitioner. The victim, in her statement under Section 164 of the Cr.P.C. has not levelled allegation of kidnapping against the petitioner, but has stated that the petitioner was the person, who collected the cash and jewellery from her house. The petitioner is under custody since 12.10.2022.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the victim, in her statement under Section 164 of the Cr.P.C. has named the present petitioner, who along with co-accused has collected the cash and jewellery from her *almirah*.

Considering the above-mentioned facts and circumstances as well as period of custody, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Dalsingsarai in connection with Vidyapati Nagar P.S. Case No. 19 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.



(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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