

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6456 of 2023

Arising Out of PS. Case No.-237 Year-2022 Thana- KALYANPUR District- Samastipur

RAHUL KUMAR SON OF RAMDEV SINGH @ RAM DEV PRASAD R/O
VILLAGE- DARIYARPUR, BISHUNPUR, P.S.- SAMASTIPUR
MUFFASIL, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Adv.
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP
For the Informant : Mr.Piyush Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 365/34 of the IPC and after
investigation charge sheet was submitted u/s 302 of the IPC.

The allegation against the petitioner is that he along with
other accused persons have kidnapped the son of the informant.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case merely on suspicion. No
such occurrence, in the manner as alleged, has ever taken place.
The allegation leveled against the petitioner is not specific
rather general and omnibus in nature. There is no eye-witness to



the alleged occurrence. Earlier an U.D. case was lodged by the chaukidar. It is submitted that the chaukidar stated that actually, son of the petitioner died due to falling from the train. His dead body was recovered and enclosed postmortem report also reveals the same fact that cause of death is due to hard running object. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that the petitioner and others are involved in the alleged offence.

Having regard to the facts and circumstances of the case, considering that the postmortem report has supported the U.D. case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kalyanpur P.S. Case No.237 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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