

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7066 of 2023

Arising Out of PS. Case No.-316 Year-2022 Thana- VAISHALI District- Vaishali

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Birendra Singh S/O Late Baliram Singh R/V- Chakrasul, P.S.- Vaishali,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner, informant
and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 365, 34 of
the Indian Penal Code.

Petitioner along with other accused persons are said to
have kidnapped the husband of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. Petitioner is an old person aged about 71 years. He
submits that the husband of the informant has taken loan from
the petitioner and when the request was made for returning the
loan amount, in order to misappropriate the said amount, the
present false case was lodged. He submits that there is no
specific overt act against the petitioner. He further submits that



petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State and learned counsel for the informant oppose the prayer for bail and submit that the statement of the victim has been recorded under Section 164 of the Cr. P.C. in which he supported the prosecution case.

Considering the facts and circumstances of the case and the age of the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Vaishali P.S. Case No. 316 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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