

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10274 of 2023

Arising Out of PS. Case No.-826 Year-2022 Thana- ARARIA District- Araria

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PRAKASH KUMAR MISHRA @ SADDU S/o Bhuwan Kishor Mishra R/o
Village- Krishnapuri, Ward no. 09, P.S.- Araria, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 363, 365,
367 of the Indian Penal Code.

According to the FIR, prosecution case relates to
abduction of the informant's husband when he went to her
sister's house. Thereafter, this case has been lodged against
unknown.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
prosecution case lodged against unknown thereafter, informant
raised suspicion against the petitioner during course of
investigation and made him as accused in the present case.
There is no eye witness of the alleged occurrence. During



course of investigation, no consistent material has come on record which shows his complicity in the alleged offence. The entire prosecution hinges around merely on the basis of suspicion. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 13.10.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Araria P.S. Case No. 826 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria.

(Sunil Kumar Panwar, J)

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