

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17558 of 2023

Arising Out of PS. Case No.-345 Year-2022 Thana- BIKRAM District- Patna

Shivam Kumar, Son Of Vijay Kumar @ Guddu Sharma R/V- Balki Baliyari
P.S- Bikram Dist- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 363, 365 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and is a young
boy aged about 18 years and the informant alleges that three
unknown criminals abducted his son while they were returning
after purchasing medicines.

4. The learned counsel for the petitioner submits that
the F.I.R. was against unknown and the name of the petitioner
transpired in the confessional statement of Gaurav Kumar, who
has been granted regular bail by the learned District Court itself



along with accused Munendra Kumar. The learned counsel thus submits that confession in police custody does not have any evidentiary value, especially when petitioner is a person with clean antecedent and is a young boy aged about 18 years. It is further submitted that even presuming what has been alleged is true without admitting, then this is the first offence of the petitioner, but he stands implicated based on a confessional statement and being a young boy, if he is sent to judicial custody his entire career would get jeopardized and chances are bright that he may come in contact with hardened criminals. At the cost of repetition, the learned counsel reiterates that Gaurav Kumar and Munendra Kumar have been granted the privilege of regular bail by the learned District Court itself.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VIth, Danapur, Patna in connection with Bikram P. S. Case



No.345 of 2022, subject to the conditions laid down under
Section 438(2) of the Cr.P.C. with a condition that one of the
bailors of the petitioner shall be his father namely, Vijay Kumar
@ Guddu Sharma.

7. The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

