

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18635 of 2023

Arising Out of PS. Case No.-178 Year-2014 Thana- PUNPUN District- Patna

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SANTOSH KUMAR @ SANTOSH KUMAR KARN S/O SHIYA SHARAN
PRASAD KARN R/O VILLAGE- SINGIYAH, P.S- PUPARI, DISTT.-
SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikas Kumar Jha, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard learned counsel for the petitioner and learned A.P.P.

for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 365 & 420/34 of the Indian Penal Code.

3. The accusation against the petitioner is that he demanded Rs.3000/- and Rs.1400/- from the family members of the victim to send him his home, who had gone to Begusarai for his maternal grandmother but neither he reached there nor he returned to home.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case merely on suspicion. As a matter of fact,



petitioner was living with one person Sohan, who belongs to Bhagalpur district, as a room partners in Patna and was doing a job in real estate and his room partner usually used his phone and account number for calling and money transfer stating that he sought money from his parent and being a room partner petitioner used to give his mobile for talking as well as the bank account to get money from his parent as he had no mobile and bank account as that time mobile phone and bank account was not common for everyone. It is further submitted that the victim in his statement recorded under Section 164 Cr.P.C. has stated that he was not kidnapped by any person rather he caught a wrong train and reached at Bombay. The copy of the statement recorded by the victim under Section 164 Cr.P.C is annexed with this application as Annexure-P/2. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering the statement of the victim recorded under Section 164 Cr.P.C., 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 Punpun P.S. Case No. 178 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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