

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26840 of 2023

Arising Out of PS. Case No.-214 Year-2022 Thana- BARIYARPUR District- Munger

Abhishek Kumar @ Nepali S/O Bhushan Singh Resident Of Village- Bhalar,
P.S.- Dharahra, District- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bariyarpur P.S. Case No. 214 of 2022 dated 28.12.2022,
instituted for the offence punishable under Sections 364/34 of
the Indian Penal Code. Later on *vide* Order dated 30.12.2022,
section 302/120(B) of the Indian Penal Code has been added.

3. The prosecution case, in short, is that on
27.12.2022 at about 4:30 pm, the husband of informant left the
house to roam around but never return back, hence, informant's
family inquired and found that informant's husband was seen
with co-accused on four-wheeler. It is alleged that owner of the
vehicle have kidnapped the informant's husband with intention
to kill.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he is falsely implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. and he has been made accused in this case only on the basis of confessional statements of Bikku Kumar and Jitendra Kumar. He further submitted that nothing has been recovered from the conscious possession of the petitioner and except the confessional statements of other co-accused, there is no material against the petitioner. Lastly, it has been submitted that the petitioner is in custody since 30.12.2022 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class, Munger in Bariyarpur P.S. Case No. 214 of 2022.

(Khatim Reza, J)

Sankalp/-

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