

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28248 of 2023

Arising Out of PS. Case No.-270 Year-2022 Thana- BARARI District- Katihar

MITHUN KUMAR @ MITHUN SAH son of Rama Nand Sah Resident of
village - Bari Bathana, ward no. 2, P.S. - Mansahi, Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

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

Let the defect(s), if any, be removed within a
period of four weeks from today.

The petitioner seeks bail in connection with Barari
P.S. Case No. 270 of 2022 arising out of S.T. No. 91 of 2023
registered for the offence under Sections 363 of the Indian Penal
Code.

The prosecution case in short is that informant's
nephew aged about 17 years was missing since 03.09.2022.
During the search, the shopkeepers nearby Kursela Rly. Station
claimed that they saw him roaming there at about 08.45 P.M. It
was suspected that the informant's nephew was kidnapped by
some unknown person.



Learned counsel for the petitioner submits that the petitioner is in custody since 24.11.2022 and the petitioner is quite innocent and he has committed no offence.

Learned A.P.P. has vehemently opposed the prayer for bail and he submits that the petitioner has two antecedents.

The petitioner is the friend of Khurshid Ansari and he was involved in the kidnapping by Khurshid Ansari. The name of the petitioner has come on the basis of confessional statement of the co-accused Khurshid Ansari.

Considering the serious allegation against the petitioner, I am not inclined to grant bail to the petitioner.

This application stands rejected.

The Court below is directed to expedite the trial of the petitioner in following cases including the present case:-

1. Katihar P.S. Case No. 644 of 2022
2. Katihar P.S. Case No. 653 of 2022

(Sandeep Kumar, J)

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