

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36872 of 2022

Arising Out of PS. Case No.-581 Year-2021 Thana- GAYA MUFASIL District- Gaya

SHIVAM KUMAR SON OF SANJAY MISHRA @ GHANSHYAM
KUMAR MISHRA R/O- VILL- SARWE SHERPUR TOLA BISHANPUR
SANBE P.S.- WARSALIGANJ, DIST.-NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Sinha 2

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 15-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 364(A)/34 of the
Indian Penal Code.

As per allegation in the FIR, informant's son, aged
about 7 years had gone to play near the Surya Mandir and did
not return till late night. A search was made in which informant
came to know by another boy that three persons have taken
away his son in a white colour vehicle.

It is submitted by learned counsel for the petitioner
that petitioner is innocent. He has been falsely implicated in the
present case. Petitioner is not named in the FIR. It transpired



during investigation that at the instance of co-accused Chhotu Kumar, police apprehended the petitioner and on search, a mobile was recovered from his house by which ransom call was made and except this, no other material has come against the petitioner to implicate him in the present case. Similarly situated other accused persons have already been granted bail by order dated 13.01.2023 passed in Cr. Misc. No. 34448/2022 and vide order dated 18/01/2023 passed in Cr. Misc. No. 27865/2022. Petitioner is languishing in judicial custody since 11.01.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Gaya in connection with Mufassil P.S. Case No. 581 of 2021.

(Sunil Kumar Panwar, J)

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