

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44042 of 2023

Arising Out of PS. Case No.-231 Year-2023 Thana- PAROO District- Muzaffarpur

SUBHAM KUMAR @ SHUBHAM SINGH Son of Binod Singh Resident of
village - Bara Daud, P.S.- Paroo, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Paroo P.S. Case No. 231 of 2023 dated 25.05.2023, instituted for the offence punishable under Sections 342, 323, 364/34 of the Indian Penal Code in which subsequently Sections 504, 506 of the Indian Penal Code were also added.

3. The prosecution case, in brief, is that on 25.05.2023 at about 08:15 pm while the informant was returning home, the petitioner along with other named accused persons including M.L.A. of Sahebganj namely Raju Singh surrounded the informant's vehicle and kidnapped him on gun point with intention to kill. The police raided the place where the informant was kept after being kidnapped and rescued him.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case due to political rivalry between the parties as informant is husband of the member of Zila Parishad and the petitioner is opponent of the informant's political party. It is submitted that the present case is nothing but a political stunt in which large number of persons have been roped. Learned counsel further submitted that in the FIR, the complete parentage as well as address of the named accused persons have been given without any source of identification which shows that the informant is familiar with the accused persons. It is submitted that one extra line has been added at the end of the written report and that has been added only with intent to attract the provision of Section 364 of the Indian Penal Code which is non bailable offence. Lastly, it has been submitted that he has no criminal antecedents.

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, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Paroo P.S. Case No.



231 of 2023, he shall be released on anticipatory 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 Additional Chief Judicial Magistrate-1, Muzaffarpur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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