

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45428 of 2022

Arising Out of PS. Case No.-168 Year-2022 Thana- BIHPUR District- Bhagalpur

=====

MITHU KUMAR @ MITTHU KUMAR SON OF RAJESH KUMAR @
KHUSHHALI KUNWAR R/O VILLAGE- SONBARSHA, P.S.- BIHPUR,
DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr.Kamlesh Kumar Pathak
For the Opposite Party/s :	Mr.Surendra Prasad Singh
For the informant	Mr. Amrendra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail a case registered for
the offence punishable under section364(A) of the Indian Penal
Code and sections 302/201 and 120(b) of the IPC were further
added.

As per allegation in the FIR, son of the informant was
kidnapped for which a audio message by his number has been
received on his sister's number for ransom of Rs. forty five lakh,
then the present FIR against un-known.

It is submitted by learned counsel for the petitioner
that petitioner is innocent and has been falsely implicated in the
present case. He is not named in the FIR. During investigation,



his name transpired on the basis of extra judicial confession of co-accused Shubham Kumar and then he was arrested. No body has seen the petitioner with the deceased on or before his murder. No consistent material has come against the petitioner to show his complicity in the alleged offence. Petitioner is languishing in judicial custody since 11.05.2022.

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-I, Naugachia in connection with Bihpur P.S. Case No. 168 of 2022.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

