

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54137 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- BARHIYA District- Lakhisarai

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GULSHAN KUMAR SON OF LATE DEBU SINGH RESIDENT OF
VILLAGE- PRATAPPUR, PS- BARHIYA, DIST- LAHISARAI, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishal Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-08-2023 Heard the parties.

The petitioner is in custody in connection with Barahiya P.S. Case No. 26 of 2023 for the offence under sections 364/120(B) of the Indian Penal Code lodged on 31.01.2023 by the informant, Sushil Kumar.

As per the prosecution story, the allegation is that the informant's son, Saurav @ Golu was driving the four wheeler car alongwith his friend, Avinash Kumar. Further, allegation is that named accuseds including this petitioner abducted him, left his friend, Avinash Kumar mid-way. He came and narrated the case to the Police. Accordingly, the FIR.

Subsequently, the victim was recovered and as per the observation of the learned Session Judge under section 164 of the Cr.P.C., he supported the prosecution story. Then, there is



confessional statement of the petitioner which has been incorporated by the learned Sub-ordinate Court while rejecting the bail petition.

Learned counsel for the petitioner submits that no reason has been assigned for the said kidnapping and in that backdrop, it can be assumed that he has been falsely implicated.

Learned APP submits that the victim person was subsequently recovered by the Police and he in his 164 Cr.P.C. statement, supported the case.

Considering the aforesaid submissions, the materials on record and the perusal of FIR as also the observation of learned Session Judge, for the present, this Court is not inclined to extend him the privilege of bail, which is accordingly rejected.

(Rajiv Roy, J)

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