

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61780 of 2022

Arising Out of PS. Case No.-168 Year-2020 Thana- PUNAURA District- Sitamarhi

Kanhaiya Singh @ Kanhai Singh S/O Umesh Prasad Singh R/O Village-
Pokhar Bhinda, P.S- Sahiyara, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 364(A)/34 of the Indian Penal Code.

As per allegation in the FIR, the wife of the informant was kidnapped and a ransom demand of Rs. 20 lakhs was made on telephone.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The



petitioner is not named in F.I.R. and his named sprang up on the basis of confessional statement of apprehended co-accused, Sintu Kumar and Dhiraj Kumar, which has no evidentiary value in the eye of law. Nothing incriminating has been recovered from the possession of the petitioner and the victim, in her statement recorded under Section 164 of Cr.P.C., has not whispered about any specific overt act of allegation against him. Moreover, petitioner is languishing in judicial custody since 17.04.2021. It is further submitted that similarly situated several co-accused persons have been granted Bail by the co-ordinate Benches of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Punaura P.S. Case No. 168 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi.

(Sunil Kumar Panwar, J)

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