

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76560 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- SITAMARHI District- Sitamarhi

SHIBU KUMAR @ SHIBU KAPAR @ SHIV KAPAR S/O JIWACHH
KAPAR VILLAGE- PURNAHIYA, PS. SAHIYARA, DIST. SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Section 365 of the Indian Penal Code and further Sections 302, 201 and 120(B) of the I.P.C. were added.

3. The allegation against the petitioner is to kidnap the son of informant, aged about 21 years along with other named co-accused persons and commit his murder thereafter.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. The petitioner is not named in the F.I.R. His name has been transpired in this case on the basis of his self confession before the police which has no



evidentiary value in the eye law. He has no concern either with the deceased or the accused persons named in the F.I.R. The case of the petitionr stands on better footing of that of co-accused namely, Md. Afroj Ansari who was granted bail by this Bench vider order dated 21.09.2023 passed in Cr. Misc. No. 54065 of 2023. Similarly situated co-accused Sudhir Kumar has already been granted bail by another co-ordinate Bench of this Court vide order dated 21.06.2023 passed in Cr. Misc. No. 31856 of 2023. Moreover, the petitioner is languishing in judicial custody since 10.05.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No.21 of 2023.

(Sunil Kumar Panwar, J)

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