

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72083 of 2022

Arising Out of PS. Case No.-576 Year-2021 Thana- SONEPUR District- Saran

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Asha Devi W/O Bhagwat Chaudhary Resident of village- Kasmar Nawada,
P.S.- Sonapur, (Pahleja O.P.), District- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
10.08.2022 in connection with Sonapur P.S. Case No. 576 of
2021, F.I.R. dated 03.01.2021 for the offences punishable under
Section 363 of the Indian Penal Code but later on Sections 367
and 369 of the Indian Penal Code were added.

According to prosecution case, Anand Kumar @
Baigan, 5 year old son of the informant was missing since
01.10.2021 while he was playing near his house.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of confessional statement of the co-accused and the self confessional statement of the petitioner. He further submits that the victim boy was recovered from the house of Sanjeev Kumar.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the petitioner is involved in the present occurrence and the petitioner has kidnapped the victim. He further submits that on the basis of confessional statement of the petitioner and the co-accused person, the victim boy was recovered.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Sonapur P.S. Case No. 576 of 2021 pending in the court of learned Chief Judicial Magistrate, Chapra, District- Saran.

Prayer is refused.

(Rajesh Kumar Verma, J)

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