

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73747 of 2022

Arising Out of PS. Case No.-422 Year-2022 Thana- FATUA District- Patna

KUNDAN KUMAR SON OF SHRIKANT SINGH R/O VILLAGE-
SUKARBEG CHAK, P.S.- KHUSRUPUR, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. J.N. Thakur Mr.Pramod Kumar
For the Opposite Party/s :		Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 03-05-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Fatuha P.S. Case No. 422 of 2022, registered for the offences punishable under Sections 363, 365/34 of the Indian Penal Code.

As per allegation, co-accused Raushan Kumar, Vikas Kumar, Santosh Kumar and Rajnish Kumar got son of the informant seated in their vehicle BR01PD510 and went from his house. The son of the informant did not return. His mobile phone was found in switch off mode. The informant had suspicion that these four named accused



persons had kidnapped his son with intention to kill him.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He is not named in the FIR. He has submitted further that during investigation it was found that he was called by the named accused to drive that vehicle. The petitioner is a person of clean antecedent and is under custody since 17.06.2022.

On the other hand, the learned APP has opposed the prayer for bail and submitted that the petitioner was driving the vehicle at the time of occurrence.

The petitioner is not named in the FIR. Only material against him is that he was driving the vehicle at the time of occurrence, whereas the specific allegation of kidnapping is against above FIR named accused persons.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Patna City in connection with Fatuha P.S. Case No. 422 of 2022,



subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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