

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42524 of 2024

Arising Out of PS. Case No.-359 Year-2023 Thana- SONBERSA District- Sitamarhi

Nilambar Kumar @ Nilambar Kumar S/o Nand Lal Rai R/o Ramnagra
Rasalpur, ward no. 10, P.S. Kanhauli, Dist. Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

For the Opposite Party/s : Mrs.Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sonbarsa P.S. Case No. 359 of 2023 dated 03.12.2023 registered for the offences punishable u/ss 365 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the co-accused, Rajesh Mahto along with 3 to 5 unknown miscreants are alleged to have abducted the father of the informant in front of his medical shop.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Ram Pavitra Rai. The statement of the victim recorded under Section 164 Cr.P.C. has not stated the name of the petitioner in the alleged crime. No T.I.P. has been conducted by the prosecution. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Sonbarsa P.S. Case No. 359 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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