

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50823 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- FATUA District- Patna

1. Raj Kumar Singh @ Raj Kumar, male, age 47 years, Son of Parsuram Singh @ Parswram Singh @ Parsuram Yadav Resident of village - Budhdeo Chak, P.S.- Fatuha, District - Patna
2. Kisto Kumar @ Kisto Singh, male, age 38 years, Son of Parsuram Singh @ Parswram Singh @ Parsuram Yadav Resident of village - Budhdeo Chak, P.S.- Fatuha, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Fatuha P.S. Case No. 245 of 2024 dated 22.04.2024, instituted for the offence punishable under Sections 365/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 22.04.2024 at 07:00 am, Manish Singh (husband of the informant) and Satyendra Singh (brother in-law of the informant) went to Ganga river to perform the Sradh ceremony of their father. When the husband and devar of the informant were returning home, petitioners along with other accused



persons forcibly kidnapped them on the point of weapon.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that father in-law of the informant namely, Brahmdeo Singh executed an agreement to sale in favour of Amit Kumar, son of Raj Kumar Singh for sale of 7 decimals land, which was executed on 05.12.2022. At the time of execution of agreement to sale, the son of the petitioner no. 1 and nephew of petitioner no. 2 had given 2 lakhs to Brahmdeo Singh (father in-law of the informant). Apart from this 2 lakhs rupees, Brahmdeo Singh has also received 16 lakh rupees from the petitioners' side and the receipts of payment of the same has already been endorsed by the father in-law of the informant. It is submitted that due to illness Brahmdeo Singh (father in-law of the informant) could not execute sale deed. After death of Brahmdeo Singh, the informant including victims and her family members had played a game of kidnapping with view to grab the money of the petitioners. It is also submitted that sale deed was not executed in favour of the son of petitioner no. 1. It is also submitted that from the perusal of FIR, it is evident that the victim returned home in the evening of the same day. Lastly, it has been submitted that the petitioners have no



criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Fatuha P.S. Case No. 245 of 2024 they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Concerned Court, Patna City, Patna subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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