

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74479 of 2022

Arising Out of PS. Case No.-396 Year-2021 Thana- GAYA MUFASIL District- Gaya

Chunnu Kumar Gupta Son Of Late Ram Janam Prasad Gupta Resident Of
Mohalla- Abgila, Devi Asthan, Manpur, P.S- Muffasil, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar
		Mr. Yogesh Chandra Verma, Sr. Adv
For the Opposite Party/s	:	Mr. Dr. Kumar Uday Pratap
For the Informant	:	Mr. Arvind Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 15-01-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. Earlier by another Bench of this Court petitioner was released on bail provisionally on 12.5.2023 till receipt of the inquiry report.

3. As per FIR, informant alleged that his daughter, namely, Pinki Kumari along with his grand daughter, namely, Mithi Kumari had went for shopping but both did not return. Later on, the informant came to know that his grand daughter, Mithhi Kumari was recovered by a Child Care Center at Sasaram but the daughter of the informant is still traceless.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The



petitioner is not named in FIR rather his name came into light in this case on the basis of disclosure made by the grand daughter of the informant who has been recovered later on and said about the complicity of the petitioner. Nothing consistent material has come against the petitioner only on the basis of disclosure made by informant's grand daughter, he has been dragged in this case. It is further submitted that vide order dated 29.03.2023 an inquiry report was called for and the same has received and kept at flag 'Z' which suggests that "In absence of the C.C.T.V. footage, a concrete conclusion could not be arrived and to fix liability in such scenario is not feasible." A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 04.03.2022.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that there is allegation against the petitioner of abducting the informant's daughter and grand-daughter. Later on grand-daughter was recovered and she stated that her mother was called by this petitioner and then he injected her mother and threw her near a bridge.

6. Considering the facts and circumstances of the



case, provisional bail granted to this petitioner by order dated
12.05.2023, is hereby confirmed.

(Sunil Kumar Panwar, J)

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