

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75293 of 2023

Arising Out of PS. Case No.-132 Year-2023 Thana- BELDOUR District- Khagaria

Amit Kumar, aged about 22 years, Male Son of Keshori Singh, Resident of Village -Barun, Post - Itmadi, P.S. - Beldaur, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 27-02-2024 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Beldaur PS Case No. 132 of 2023 instituted for the offences punishable under Sections 364/34 of the Indian Penal Code.

3. As per the prosecution case, accused persons kidnapped, killed and disappeared the son of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to love affairs. It is submitted that love affairs is going on between the son of the informant and daughter of the co-accused. There is no specific allegation against the petitioner. The motive behind the



occurrence is missing which creates doubt.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail.

6. From perusal of the case diary, FIR and also the impugned order of the learned Additional Sessions Judge-1st, Khagaria dated 04.09.2023, it appears that petitioner is named in the FIR and the witnesses has supported the case during the course of investigation. FIR is registered under Sections 364/34 of the Indian Penal Code on the basis of written report of the informant Dharmendra Mandal, father of the victim Abhishek Kumar. Accused persons in his confessional statement under Section 161 of the Cr.P.C. stated that all the witnesses also supported the version in the FIR and the specific allegation is against this petitioner. The investigating officer after investigation found the case true against the petitioner under various sections of the Indian Penal Code. Petitioner is in custody since 16.06.2023.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties as well as nature of allegation, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby



rejected.

9. However, the trial Court is directed to examine two prosecution witnesses and thereafter the petitioner may renew his prayer for bail before the trial Court.

(Ramesh Chand Malviya, J)

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