

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81294 of 2024

Arising Out of PS. Case No.-214 Year-2022 Thana- BARIYARPUR District- Munger

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Aniket Kumr @ Para Son of Dharnidhar Singh Resident of Village- Bhalar,
P.S-Dharahra, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Bariyarpur P.S. Case No. 214 of 2022, instituted for the offences
punishable under Sections 364/34 of the Indian Penal Code and
later on Sections 302/120(B) of the Indian Penal Code.

3. The prosecution case, in short, is that, on
27.12.2022 at about 4:30 PM, the husband of the informant left
the house to roam around but never return back, hence,
informant's family inquired and found that informant's husband
was seen with co-accused on four-wheeler. It is alleged that
owner of the vehicle have kidnapped the husband of the
informant with an intention to kill him.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused Bikku Kumar and the same has got no evidentiary value. It is further submitted that except confessional statement, no material has come against the petitioner. The petitioner is in custody since 02.09.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 15.05.2024 passed in Cr. Misc. No. 36429 of 2024 and order dated 04.10.2024 passed in Cr. Misc. No. 72967 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bariyarpur P.S. Case No. 214 of 2022.

(Rudra Prakash Mishra, J)

Rajorshi/-

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