

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20986 of 2014

Arising Out of PS.Case No. -10 Year- 2013 Thana -SIDHWALIA District- GOPALGANJ

1. Mantu Kumar Singh son of Late Krishna Singh resident of village Mangolpur, P.S.- Mohammadpur, District- Gopalganj.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Jeetendra Narayan

For the Opposite Party : Mr. Surendra Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 22-04-2015

The petitioner has renewed his prayer for bail in a case registered for the offences punishable under Sections 364, 364A of the Indian Penal Code.

The petitioner is languishing in custody since 17.01.2013.

It is alleged that minor son of the informant went missing from the school when the Principal of the school said that this petitioner took the victim on the pretext of mother of the victim boy calling him. The victim in his 164 Cr.P.C statement has clearly stated that this petitioner kidnapped him and demanded ransom of rupees ten lacs. The victim boy was recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner has no criminal antecedent when no ransom was paid.

The prayer for bail of the petitioner was rejected by this Court vide order dated 01.08.2013 passed in Cr. Misc. No. 25019 of 2013 with a liberty to renew the prayer for bail after nine months, if the trial would not be concluded.

The report of learned Additional District & Sessions Judge-III, Gopalganj dated 25.02.2014 at Flag-X suggests that till date no witness has been examined, whereas the charge was framed on 17.10.2014.

Considering the fact that petitioner is the own brother of the father of the victim having no criminal antecedent and there is no likelihood of trial being concluded in near future, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Sidhwaliya P.S. Case No. 10 of 2013.

The bail bonds of the petitioner shall be accepted on affidavit being filed to the effect that he will cooperate in the investigation. Non-cooperation in the investigation will give liberty to the prosecution to file appropriate application for cancellation of bail of the petitioner.

(Dinesh Kumar Singh, J)

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