

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1623 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -CHAPRA TOWN District- SARAN

Mithilesh Prasad @ Mithlesh Prasad, Son of Kanhaiya Prasad, Resident of
Village - Karnpura, P.S. Marhowrah, District - Saran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh

For the Opposite Party : Mr. Nirmala Kumari (App)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 02-03-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Chapra
Town P.S. Case No. 87 of 2015, registered under Section 363 and
364(A) of the Indian Penal Code.

Learned counsel appearing on behalf of the
petitioner submits that the petitioner is not named in the F.I.R.
and in course of investigation one Jawed Alam was apprehended
by the Police, who admitted his guilt in his confessional
statement before the Police about the kidnapping of victim Aditya
Kumar Pandey and on his instruction, the victim boy was
recovered from the house of Sanjay Baitha, where this petitioner
and one Amit was said to be found there keep vigil on the victim
boy. Further submission is that co-accused Jawed Alam has

already been allowed bail by a co-ordinate Bench of this Court vide order dated 30.11.2015 passed in Criminal Misc. No. 33145 of 2015. The petitioner has no criminal antecedent and he is in custody since 09.04.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-III, Saran, Chapra, in connection with Chapra Town P.S. Case No. 87 of 2015 (S.T. No. 219 of 2015). Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

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