

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12821 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -KHUSRUPUR District- - Patna

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Shishupal Kumar Sri Karu Singh Resident of Village Haiwatpur, Police
Station Khusrupur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad II, Adv.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3. 05-05-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

The petitioner seeks bail in connection with Khusrupur
P.S. Case no. 55 of 2015/G.R. No. 973 of 2015 registered for the
offences punishable under Sections 363 and 365 of the Indian
Penal Code.

Allegedly, the petitioner and other F.I.R. named accused
persons kidnapped Sonu Kumar aged 14 years the son of the
informant with an intention to perform his marriage. During
investigation the victim boy was recovered and his statement has
been recorded under Section 161 and 164 Cr.P.C. wherein he has
supported the allegation of kidnapping and named the petitioner
also.

Submission is of false implication and that victim

appeared before the police himself, he was not recovered from possession of any of the accused and the petitioner is suffering in custody since 05.07.2015.

The learned A.P.P. opposes prayer of bail by submitting that besides the informant other witnesses have also supported the allegation.

In the facts and circumstances as stated above, considering that the charge-sheet has already been submitted and there is no chance of tampering with prosecution evidence and as such considering the detention of the petitioner, now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Patna City in connection with Khusrupur P.S. Case no. 55/2015/ G.R. No. 973/15 subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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