

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18059 of 2016

Arising Out of PS.Case No. -366 Year- 2015 Thana -ARA NAGAR District- BHOJPUR

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1. Nagendra Yadav S/o Late Ranjeet Yadav R/v Bhaluhipur Mathiya, P.S.-
Ara Town, Distt- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Pranav Kumar(App)

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

3 29-06-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 365 of the I.P.C

Allegedly, Vikky Kumar, aged three years, the son of
the informant, became traceless on 12.08.2015 at about 6 P.M and
during enquiry it reveals that the petitioner has taken away him.
During investigation the victim boy was recovered and the
petitioner confessed his guilt wherein he named other co-accused.

Submission is of false implication and that the
petitioner has got no concern in the alleged kidnapping, the victim
boy was recovered from possession of Douli Devi and Sabita Devi
and both have been granted bail by the learned court below itself

and as such the petitioner who is suffering in custody since 15.08.2015 also deserves sympathetic consideration as charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that the investigation is completed and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Bhojpur in Ara Town P.S. Case No. 366 of 2015, 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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