

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49525 of 2015

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

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1. Jai Kishan @ Jai Kishun Son of Keshav Prasad Resident of Village -
Ebrahim Nagar, P.S.- Ara Town in the District of Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Ashraf Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 16-02-2016 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, Vikki 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 co-accused Nagendra Yadav has taken away him. During investigation the victim boy was recovered and Nagendra Yadav confessed his guilt and in his confessional statement the name of the petitioner transpired.

Submission is of false implication and that the petitioner has got no concern in the alleged kidnapping, in the confessional statement there is nothing against the petitioner, 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 deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that from the call detail report of the mobile it reveals that the petitioner was also involved in the crime and Nagendra Yadav confessing his guilt has stated the name of the petitioner.

In the facts and circumstances as stated above, considering that the name of the petitioner has come in the confessional statement of co-accused and as such considering detention of the petitioner, he 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 at Ara 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.

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(Jitendra Mohan Sharma, J)