

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52790 of 2015

Arising Out of PS.Case No. -64 Year- 2015 Thana -JHAJHA District- JAMUI

1. Kishun Prasad Yadav Son of Late Bhutu Yadav Resident of Village-
Nojakura, P.S.- Jhajha, District- Jamui..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. M.K. Nirala (App)

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

ORAL ORDER

4 15-02-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Jhajha P.S. Case No. 64
of 2015 registered for the offence punishable under Section 364 of the
Indian Penal Code .

Allegedly, Prem Sagar Chaudhary was kidnapped in presence
of Motka Murmu on 22-23.04.2015 and through mobile no.
8252660389 call was made on the mobile of the informant causing
threats and further the clerk, Pintu, was earlier caused threats on that
mobile. During investigation name of the petitioner transpires in the
confessional statement of co-accused and further also the petitioner has
confessed his guilt that the victim Prem Sagar Chaudhary was kept in
his house.

Submission is of false implication and that the victim Prem
Sagar Chaudhary after his release has not stated the name of the
petitioner and at the instance of local enemies and in connivance of the

local people the petitioner has been implicated due to business rivalry of two petty contractors, the petitioner is not named in the FIR, there is no cogent material showing his involvement, nothing has been recovered from possession of the petitioner as such the petitioner who is suffering in custody since 13.06.2015 deserves sympathetic consideration..

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention and further the victim has safely been released and he has not stated the name of the petitioner, the petitioner above named 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 S.D.J.M., Jamui in connection with Jhajha P.S. Case No. 64 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)

avin/-

U		T	
---	--	---	--