

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11516 of 2016

Arising Out of PS.Case No. -128 Year- 2015 Thana -KURSAKANTA District- ARRARIA

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1. Bhim Sah Son of Agam Lal Sah Resident of village - Maingara, P.S.
Kursakanta, Distt. - Araria.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

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

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

ORAL ORDER

3 28-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Kursakanta
P.S. Case No. 128 of 2015 registered for the offence punishable
under Sections 364/34 of the Indian Penal Code.

Allegedly, Dayanand Sah, the husband of the
informant, was kidnapped and earlier the petitioner and other co-
accused caused threats to her husband and it is suspected that they
have kidnapped with intention to kill. During investigation
confessional statement of co-accused Sumitra Devi and the
petitioner were recorded.

Submission is of false implication and that besides
confessional statement and suspicion there is nothing against the
petitioner and co-accused Sumitra Devi the wife of the petitioner
has already been allowed bail and further co-accused Rajendra Sah

has been allowed pre-arrest bail by another co-ordinate Bench of this Court and the petitioner is suffering in custody since 01.12.2015.

Learned APP submits that the petitioner is accused in one more case.

In the facts and circumstances stated above, considering that co-accused Sumitra Devi has been allowed bail and further another co-accused has been allowed pre-arrest bail, 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 Sri A. V. D. Dubey, J. M. Ist Class, Araria in connection with Kursakanta P.S. Case No. 128 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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