

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12607 of 2016

Arising Out of PS.Case No. -377 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Prince Kumar S/o Late Sunil Singh R/o vill. - Kaithama, P.S. Begusarai
Muffasil, Distt. - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Parmeshwar Mehta (App)

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

3 05-05-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Begusarai Muffasil P.S. Case No. 377 of 2015 registered for the
offences punishable under Sections 364 and 379/34 of the Indian
Penal Code.

Allegedly, the father of the informant received call
from Dhipla and thereafter, he went with Splender motor-cycle
but he did not return and his mobile was found switched off and
accordingly, it is alleged that Dhipla and other co-accused
including the petitioner named in the F.I.R. have kidnapped the
father of the informant with an intention to kill him and further,

his motor-cycle has also been made traceless.

Submission is of false implication and that besides suspicion, there is no other material against the petitioner, Dhipla has given his statement which is recorded in para-71 of the case diary and he has not taken the name of the petitioner rather he has taken the name of Prince Kumar, s/o Sunil Singh @ Buchhan Mukhia. There is no eye-witness who can say that the petitioner was involved in kidnapping of the father of the informant or he was seen with him and without any legal and tangible material, change-sheet has already been submitted resulting the petitioner is suffering in custody since 12.01.2016.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner is named in the F.I.R.

In the facts and circumstances stated above, 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 Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 377 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)