

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55190 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -KADWA District- KATIHAR

1. Jitan Sah, son of Shivjee Sah, Resident of Village- Chhourahia, P.S.-
Sahiyara, District- Sitamarhi..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Narendra Kumar Singh (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 Kadwa P.S.
Case No. 65 of 2015 registered for the offences punishable under
Sections 363 and 365 of the Indian Penal Code.

Allegedly, the petitioner took away Md. Amir aged
about 12 years, the son of the informant, and during investigation
it transpires that the petitioner was pressurizing the victim boy to
demand Rs.5,00,000/- from his father but due to intervention of
villagers the victim boy was got released.

Submission is of false implication and that
prosecution story appears not probable and reliable, the statement
of the victim has not been recorded under Section 164 Cr.P.C. and
the Police after recording his statement at Police Station got

implicated the petitioner, the victim has been safely released and no amount was paid by way of ransom, the petitioner has been made victim of circumstances, no offence as alleged is made out and as such the petitioner who is suffering in custody since 03.06.2015 deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that the victim has been safely released without any payment, 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 Additional Sessions Judge I, Katihar in Sessions Trial No. 266 of 2015 arising out of Kadwa P.S. Case No. 65 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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