

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15659 of 2016

Arising Out of PS.Case No. -510 Year- 2015 Thana -KISHANGANJ District- KISANGANJ

Prakash Paul @ Prakash Pal S/o Gopal Paul, Resident of Village- Nawab
Kothi, P.S. & District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

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

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

3 20-06-2016 Heard the learned counsel for the petitioner as well
as the learned A.P.P for the State.

The petitioner seeks bail in connection with
Kishanganj P.S. Case No. 510 of 2015 registered for the offences
punishable under Sections 364A and 120B of the Indian Penal
Code.

Allegedly, Siddanth Rai was kidnapped and on
enquiry it was revealed that the petitioner and others have
kidnapped him and further ransom of Rs. 20 lakhs was demanded.
During investigation, the petitioner was apprehended and he
confessed his guilt and further victim was also recovered and he in
his statement recorded under Section 164 of the Code of Criminal
Procedure also stated the name of the petitioner as one of the

kidnapper.

Submission is of false implication and that no ransom was paid, the petitioner is suffering in custody since 02.01.2016, he has got no criminal antecedent, there is no eye witness to the alleged occurrence, there was a family dispute between the informant and Rohit Kumar, the victim was not recovered from the house of the petitioner and further he was not arrested with the said victim, the confessional statement of the petitioner was recorded after torturing him and, as such, now he deserves sympathetic consideration to which the learned APP seriously opposes.

In the facts and circumstances stated above, considering the custody of the petitioner and further chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and, as such, 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, Kishanganj in connection with Kishanganj P.S. Case No. 510 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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