

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16997 of 2017

Arising Out of PS.Case No. -979 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

=====

1. Kanhaiya Kumar, S/o Dinesh Singh @ Dineshwar Kumar Singh,
Resident of Mohalla- Nuranganj, P.S.- Sasaram (T), District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Krishna Prasad Singh, Sr. Advocate
Mrs. Minakshi, Advocate
Mr. Bhaskar Shankar, Advocate
Mr. Saket Kumar, Advocate
Mr. Mithilesh Kumar Singh, Advocate
For the Opposite Party : Mr. Matloob Rab (APP-34)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 02-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sasaram
(T) P.S Case No. 979 of 2016 registered for the offence punishable
under Section 366(A) of the Indian Penal Code.

Allegedly, the daughter of the informant was
kidnapped by unknown person. During investigation, the name of
the petitioner transpires in the confessional statement of co-
accused.

Submission is of false implication and that no legal
and tangible material has come against the petitioner, besides
confessional statement of co-accused there is nothing against the
petitioner. In this case Sanjay Keshri, Longi Devi @ Laungi Devi



and Shyam Sunder Kumar have been allowed bail and the petitioner is suffering in custody since 06.11.2016 and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that in the confessional statement of Sonu Kumar @ Krishna Kumar the name of the petitioner has transpired.

In the facts and circumstances stated above, considering that the victim in her statement recorded under Section 164 of Cr.P.C. has not named the petitioner and besides confessional statement there is no other legal material against him and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram (T) P.S. Case No. 979 of 2016, 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.)

Rajiv/-

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

