

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30206 of 2017

Arising Out of PS.Case No. -419 Year- 2016 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Shivnandan Paswan Son of Jageshwar Paswan, resident of Village-
Singhaul, P.S.- Muffasil (Singhaul O.P.) District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 03-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
17.10.2016 in connection with Muffasil P.S. Case No. 419/2016
for offences punishable under Sections 323, 341, 364-A, 120-B,
506, 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his brother-in-law was going to his sasural. On the way he
was kidnapped and a ransom of Rs. 2 lakhs was demanded on the
mobile.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and it was



not his mobile from which ransom call was made and the informant's brother-in-law was not recovered from the possession or the house of the petitioner. He submits that it is only on the basis of the confessional statement of other co-accused and the statement of the victim under Section 164 Cr.P.C. that he has been made accused. He further submits that he was not involved in kidnapping, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. It is submitted that one of the co-accused, whose name also surfaced in the confessional statement of one Sanjeet Kumar, has been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 2339 of 2017 on 02.03.2017 and he is languishing in judicial custody for more than a year.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Muffasil P.S. Case No. 419/2016, subject to the condition that one of the bailors must be close relative of the petitioner, who will file an



affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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