

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37677 of 2017

Arising Out of PS.Case No. -432 Year- 2016 Thana -BIRAUL District- DARBHANGA

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1. Jitendra Sada @ Jitendra Sadai Son of Ram Saran Sada, R/o Village-Sonebehar, P.S.- Biraul , District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar @ Ravindra Kr Rai

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with Biraul P.S.Case No.432 of 2016, registered for offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

Allegation, as per FIR, against the petitioner and other co-accused persons is of kidnapping the minor girl of the informant and she is still traceless.

Submission of the learned counsel for the petitioner is that only allegation against the petitioner is that his vehicle was used in kidnapping and except that there is nothing against him and the another co-accused persons who was also accompanying the main accused in kidnapping the girl, has already been granted



bail by this Court, vide order dated 8.4.2017 passed in Cr. Misc. No.16127 of 2017. The petitioner is in custody for about six months.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that the vehicle of the petitioner was used in the occurrence and further the girl is still traceless and this petitioner had assured in '*panchayati*' that he wil' get recovered the girl within three days but the girl has not been recovered.

Having heard both sides and in view of the facts and circumstances, as stated above, and also considering the fact that the another co-accused has been granted bail by this Hon'ble Court, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Darbhanga in connection with Biraul P.S.Case No.432 of 2016 dated 27.12.2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.



(iv) He will co-operate to the police and the family members of the informant in recovery of the girl, otherwise his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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