

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25846 of 2017

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

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1. Sanjit Kumar, son of Nageshwar Mahto, Resident of Village- Harichak,
P.S.- Bhagwanpur, Dist- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 25-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 15.10.2016 in
connection with Muffasil (Singhaul) P.S. Case No. 419/2016 for
offences punishable under Section 364-A of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that his brother-in-law Rajesh Kumar while returning from his
computer coaching centre, on his way to his sasural, has been
kidnapped by some unknown persons for ransom of Rs. 2 lakhs.

It has been submitted by the learned counsel for the
petitioner that he is innocent, has been falsely implicated in the



aforesaid case and that it is only on the basis of statement of the victim under Section 164 Cr.P.C. that the petitioner has been made accused. He submits that although the statement was taken on 17.10.2016, but the arrest was made two days earlier, which falsifies the prosecution story. It is further submitted that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner has a criminal history.

Be that as it may, 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 (Singhaul) P.S. Case No. 419/2016, subject to the condition that one of the bailors would be a close relative of the petitioner, who would have sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds and that if the petitioner indulges in



an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bond.

(Nilu Agrawal, J)

Rajesh/-

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