

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29339 of 2017

Arising Out of PS.Case No. -281 Year- 2016 Thana -SHRIKRISHNAPURI District- PATNA

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Pappu Sarkar @ Pappu, son of Late Bidya Nand Vishwash, resident of
Mohalla Shivpuri, P.S. Shastri Nagar, District Patna.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Adv.

For the Opposite Party/s : Mr. Binod Kumar-3, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 01-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks regular bail in connection with S.K.
Puri P.S. Case No.281 of 2016 registered for the alleged offences
under Sections 364/395 of the Indian Penal Code.

As per the prosecution case, the petitioner along with
other accused persons are said to have kidnapped the informant in
a swift car and assaulted him. On arrival of the neighbour, the
accused persons leaving him took away his Pulsar bike and
managed to escape.

It has been submitted by learned counsel for the
petitioner that no specific overt act has been alleged against the
petitioner. He has been falsely implicated in this case. It has also
been submitted that, in fact, four cases are pending against the



petitioner but in all the cases he has been granted bail. The allegations levelled against the petitioner are general and omnibus in nature. He has been languishing in jail custody since 11.04.2017. Two co-accused persons, namely, Amar Kumar and Suit @ Natha @ Sujit Kumar have been granted bail by co-ordinate Benches of this Court in Cr. Misc. Nos.6555 of 2017 and 7013 of 2017 vide orders dated 22.02.2017 and 17.03.20217 respectively.

In the facts and circumstances of the case, the petitioner above named is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., Patna-cum-Special Magistrate, C.B.I., Patna in connection with S.K. Puri P.S. Case No.281 of 2016. Out of the two sureties, one 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. Further, the petitioner shall attend the trial court on each and every date fixed in the case, during the course of trial. If the petitioner fails to attend the trial court, during the course of the trial, on two consecutive dates, without any reasonable cause being shown, the



trial court would be at liberty to cancel the bail bonds of the petitioner.

(Prakash Chandra Jaiswal, J.)

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