

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29011 of 2017

Arising Out of PS.Case No. -66 Year- 2014 Thana -RAMKRISHNANAGAR District- PATNA

=====

1. Awadhesh Kumar Jaiswal @ Abodh @ Chuhwa @ Awadhesh Prasad Jaiswal Son of Late Nageshwar Prasad Jaiswal , Resident of Chiksaura Bazar, P.S.- Chiksaura, District- Nalanda, At present Residing at KHemni Chak Kanhae Nagar, P.S.- Ramakrishna Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 08-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 29.10.2015 in connection with Ram Krishna Nagar P.S. Case No. 66 of 2014 for offences punishable under Sections 365/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that her son Sonu Kumar has gone for tuition but did not return. She suspected the hands of neighbors who have kidnapped her minor son.

It has been submitted by the learned counsel for the



petitioner that he is innocent, not named in the First Information Report and only on the basis of confessional statement of Sonu Kumar, petitioner has been made accused in the present case. He submits that petitioner is step father of the victim boy and did not want his mother to marry the petitioner hence, such allegation has been leveled against the petitioner. He was arrested in Ram Krishna Nagar P.S. Case No. 104 of 2015 on 02.06.2015 subsequently he has been remanded in the present case. He further submits that charge-sheet has already been submitted and there is no chance of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that petitioner has kidnapped the victim boy. Independent witnesses have also supported the prosecution case and petitioner has a criminal history.

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, Patna, in connection with Ram Krishna Nagar P.S. Case No. 66/14, subject to the condition that one of the



bailors would be a close relative of the petitioner having 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.

(Nilu Agrawal, J)

sushma/-

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

