

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38656 of 2017**

Arising Out of PS.Case No. -145 Year- 2017 Thana -WARSALIGANJ District- NAWADA

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1. Ashok Pathak, Son of Shashi Bhushan Pathak,  
2. Chandan Kumar Pathak @ Chandn Kumar Pathak, Son of Ashok Pathak  
Resident of Village-Makanpur, P/S-Warsaliganj, District-Nawada.

.... .... Petitioners/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioners/s : Mr. Man Mohan Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      21-09-2017                      The petitioners seek regular bail in connection with Warsaliganj P.S. Case No. 145 of 2017, registered for offences punishable under Sections 364(A)/34 of the Indian Penal Code.

Allegation against the petitioners is of kidnapping informant's grandson (Nati) and demand of ransom and it is also alleged that the mobile from which ransom was demanded belonged to one of the petitioners.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case and has no role to play in the kidnapping of the boy and on the alleged date of occurrence, the mobile of petitioner no. 1 was missing and the call might have been made by any of the villager. Further petitioners have no criminal antecedent and have been in judicial custody



since 23.06.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that the mobile was of petitioner no. 1 and no allegation has been made against petitioner no. 2, as such, let petitioner no. 2, namely, Chandan Kumar Pathak @ Chandn Kumar Pathak, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM –II, Nawada, in connection with Warsaliganj P.S. Case No. 145 of 2017, subject to the 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 cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates



without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

So far petitioner no. 1 is concerned, considering the facts and circumstances of the case, I am not inclined to release petitioner no. 1 on bail, this application with regard to petitioner no. 1 is dismissed. However, he may renew his prayer for bail after framing of charge in this case.

Accordingly, this application is disposed of.

**(Vinod Kumar Sinha, J)**

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