

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46275 of 2017

Arising Out of PS.Case No. -92 Year- 2017 Thana -MARKAHI District- KHAGARIA

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1. Sunil Kumar Mehta Son of Janardan Mehta, R/o Village- Bachhauta,
P.S.- Morkahi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with Morkahi P.S.Case No.92 of 2017 registered for offences punishable under Sections 364, 120B/34 of the Indian Penal Code.

Allegation against the petitioner is that he kidnapped the minor boy of the informant. It appears from the FIR that only there is suspicion against the petitioner.

Submission of the learned counsel for the petitioner is that except suspicion, there is nothing against the petitioner, even the mobile was not recovered from possession of the petitioner. Though he is accused in three other cases, out of which one case is of the year, 2015 and another one of the year, 2016. The petitioner is in custody since 25.7.2017. The petitioner is ready to abide by any condition imposed upon him.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Khagaria in connection with Morkahi P.S.Case No.92 of 2017.

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 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 bond.
- (iv) Further condition that till conclusion of the trial of this case, he will make his attendance before the concerned Police Station of the area in the first week of every month, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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