

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14174 of 2017

Arising Out of PS.Case No. -212 Year- 1997 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Sukai Choudhary @ Sukai Sahani @ Sukayee Choudhary, Son of Late
Dukhi Choudhary, resident of Village Serawa, P.S. Semara (Dhiutaha),
District West Champaran.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party : Mr. Dr. Kumar Uday Pratap (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 28-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Tr. No.
741 of 2017 arising out of Chanpatia P.S Case No. 212 of 1997
registered for the offence punishable under Section 364A of the
Indian Penal Code.

Allegedly, 5-6 unknown persons kidnapped the son
of the informant namely Niranjan Tiwari aged about 12 years for
ransom in the night of 16.12.1997. During investigation, the name
of the petitioner transpires and accordingly he has been
chargesheeted showing him as absconder.

Submission is of false implication and that the
petitioner is not named in the F.I.R., no witnesses has stated the



name of the petitioner, he has not been put on T.I.P, nothing has been recovered from possession of the petitioner, the victim has been recovered and his statement has been recorded, but the victim has not stated the name of the petitioner and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P seriously opposes the prayer of bail by submitting that there is sufficient material against the petitioner in the case diary and chargesheet has been submitted showing the petitioner absconder. This is the case of the year 1997 and the petitioner has been shown absconder on 31.12.1998 and due to abscondence of the petitioner, the progress of the case has been delayed.

In the facts and circumstances stated above, at present, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Tr. No. 741 of 2017 arising out of Chanpatia P.S. Case No. 212 of 1997, pending in the court of learned Additional Chief Judicial Magistrate- VII, Bettiah, West Champaran.

However, the petitioner may renew his prayer for bail after remaining 09 (nine) months in custody.

(Jitendra Mohan Sharma, J.)

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