

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36846 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -BOCHHA District- MUZAFFARPUR

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1. Sanjay Kumar S/o Yogendra Pandit @ Nagendra Pandit resident of village - Gopalpur Gopal, P.S. - Bochahan, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-08-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in judicial custody since 24.04.2017 in connection with Bochaha P.S. Case No. 62 of 2017 for offence punishable under Section 364-A of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his son Ankur Prajapati, student of std. IXth, went to school but did not return and his wife received a ransom call for Rs. 7,00,000/-.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the



aforesaid case. Petitioner is next door neighbor of the informant and on the confessional statement of one Ravi Chaudhary, who was alleged to have committed the said offence, has stated that the petitioner was one of his co-accomplice. He submits that victim was recovered from the house of one Rajiv Kumar on the same day and not from the house of the petitioner and that no overt act is alleged to have been committed by the petitioner. It has further been submitted that the petitioner has no criminal history and that charge-sheet has already been submitted and there is no allegation of tampering with prosecution witnesses by the petitioner.

However, learned APP for the Stated vehemently opposes the prayer for bail stating therein that the petitioner was one of the co-accomplices of the co-accused persons.

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 ACJM-cum-Sub-Judge XI, Muzaffarpur, in connection with Bochaha P.S. Case No. 62 of 2017, 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/ court, 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)

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