

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32138 of 2017

Arising Out of PS.Case No. -256 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

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1. Md. Sattar, S/o Late Md. Abdullah, Resident of Village- Mejorganj, P.S. Mejorganj, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 08-11-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 363 and 364 of the Indian Penal Code.

Allegation has been made that son of the informant was kidnapped by the accused persons and demanded ransom of Rs.50 lacs. As the informant could not pay the amount of ransom the boy was mercilessly killed by the accused persons.

Learned counsel for the petitioner submits that already six witnesses have been examined and all have turned hostile. Statement recorded in the case diary discloses that Bablu Singh has killed the boy as well as on his statement dead body of boy was recovered but in the case diary it has also come that petitioner was one of the conspirator in kidnapping the son of the informant. Large number of accused persons have granted bail



by this Court. Petitioner is in jail since 5.12.2015 and there is direct allegation against Bablu Singh. This petitioner has identified the voice of Bablu Singh with respect to demand of ransom amount.

Having considered the facts and circumstances of the case and looking to the period of custody, let petitioner, Md. Sattar, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.D.J. II. Sitamarhi in Sessions Trial No.243 of 2016, arising out of Mejarganj P.S. Case No.256 of 2015, subject to the conditions that (i) one of the bailors shall be mother, father, son or wife of the petitioner (ii) petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates, the court below will be at liberty to cancel the bail bonds of the petitioner. It is expected that the petitioner in any manner will not influence and tamper the prosecution witnesses.

(Shivaji Pandey, J)

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