

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32519 of 2018**

Arising Out of PS.Case No. -421 Year- 2017 Thana -SIWAN CITY District- SIWAN

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Sandeep Kumar S/o Jalaishwar Prasad, R/o Bailahata Naya Bazar, P.S.-  
Siwan Town, District- Siwan.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava

For the Opposite Party/s : Mr. Sri Akbar Ali

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3      28-06-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is in custody since 13.08.2017 in connection with Siwan Town P.S. Case No. 421 of 2017 for the offence registered under Sections 365 of the Indian Penal Code later on 364(A) 302, 201 and 34 of the Indian Penal Code is added.

Learned counsel for the petitioner submits that the petitioner is facing prosecution in a case of kidnapping and killing of a boy on the basis of confessional statement made before the police by a co-accused, which has no evidentiary value. It is further submitted that another similarly situated co-accused person, who had also been named by the same co-accused in his



confessional statement, has been granted regular bail in Cr. Misc. No. 20314 of 2018 vide order dated 03.05.2018. It is, thus, submitted that the petitioner's case stands on similar footing.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 421 of 2017, subject to the following conditions:-

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons his bail bonds shall be liable to be cancelled by the learned Court concerned.

(4) The petitioner shall co-operate with



the investigation, if not already concluded, and  
make himself available as and when so required and  
in case of failure, the State shall be at liberty to  
move for cancellation of bail.

**(Anjana Mishra, J)**

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