

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41101 of 2018

Arising Out of PS.Case No. -17 Year- 2018 Thana -SHERGHATI District- GAYA

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1. Sandeep Kumar Yadav son of Shiv Kumar Yadav, resident of Village-
Nawadih Panari, P.S. Hunterganj, District- Chatra (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with Sherghati P.S.Case nO.17/18 registered for offences punishable under Section 364 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping of the husband of the informant and though he is not named in the FIR and later on his name transpired during the course of investigation of the case.

Submission of the learned counsel for the petitioner is that except confessional statement, there is nothing against the petitioner and he is in custody since 12.3.2018 another co-accused having similar allegation has been granted bail by a co-ordinate Bench of this Court, vide order dated 13.4.2018 passed in Cr.



Misc. No.20142 of 2018. The petitioner has not been identified by the victim as recorded in her statement under Section 164 Cr.P.C.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that at his instance, the motorcycle of the abducted person has been recovered.

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 ACJM, Sherghati, District Gaya in connection with Sherghati P.S. Case No.17 of 2018 .

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 in the event of failure 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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