

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28134 of 2018

Arising Out of PS. Case No. -236 Year- 2017 Thana -LAXMIPUR District- JAMUI

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1. Bambam Mishra, Son of Paramanand Mishra, Resident of Village-
Karanpur, P.S.- Laxmipur, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

03 23-05-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Laxmipur P.S. Case No.
236 of 2017 registered under Section 364(A) of the Indian Penal
Code.

Brother of the informant is said to have been
kidnapped by some unknown miscreants and ransom of Rs.1 crore
was demanded in lieu of release of the victim.

It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent. He has no concern with the
aforesaid occurrence. He is not named in the F.I.R. He has been
falsely implicated in this case due to dirty village politics. There is
no eye witness of the occurrence. No one has seen the petitioner
with the victim. The victim in his statement under Section 164



Cr.P.C. has stated that it seems the complicity of the petitioner and other accused persons including the Prakash Tanti and Nikku Lala @ Nikku Sinha in the occurrence from the conversations made by the accused persons. Barring the said statement of the victim there is nothing cogent on the record indicating the complicity of the petitioner in the occurrence. Petitioner was not put on T.I.P. The petitioner has been languishing in custody since 19.12.2017. Similarly situated co-accused, namely, Prakash Tanti and Nikku Lala @ Nikku Sinha have been enlarged on bail by a co-ordinate bench of this court vide order dated 02.05.2018 and 14.05.2018 passed in Cr. Misc. No. 19381/18 and 21747/18 respectively.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned J.M. 1st Class, Jamui in connection with Laxmipur P.S. Case No. 236 of 2017, subject to the following conditions:-

- (1) One of the bailors will be his father.
- (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



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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.

(Prakash Chandra Jaiswal, J.)

Trivedi/-

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