

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49544 of 2018

Arising Out of PS. Case No.-108 Year-2017 Thana- PIPRA District- Supaul

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Ram Kumar Kamat, Son of Chhothi Kamat @ Chauthi Kamat, resident of
Village- Shahpur Prithvipatti, Ward No. 05, P.S. Bhaptiyahi, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Md. Ashlam Ansari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner had earlier moved for bail which was
rejected vide order dated 17.01.2018 passed in Cr. Misc. No.
55079 of 2017.

Petitioner is languishing in judicial custody since
28.06.2017 in connection with Sessions Trial No. 87 of 2018
arising out of Pipra P.S. Case No. 108 of 2017/ G.R. No.
1312/2017 for offences punishable under Sections 363 and 365
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his son has been kidnapped by some unknown persons.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the FIR, bears no



criminal history and has been falsely implicated in the aforesaid case. He submits that the petitioner is of unsound mind and has been advised medical treatment. He further submits that some of the co-accused have been granted the privilege of bail by coordinate Benches of this Court and the confessional statement of the petitioner of having kidnapped the informant's son before the police has no evidentiary value in the eye of law. He submits that charges have been framed on 11.06.2018 and the petitioner undertakes to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail.

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 District Judge, Supaul/Incharge Successor Court in connection with Sessions Trial No. 87 of 2018 arising out of Pipra P.S. Case No. 108 of 2017/ G.R. No. 1312/2017, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the



petitioner.

- (ii) 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)

Rajesh/Pragya

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