

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16294 of 2019

Arising Out of PS. Case No.-274 Year-2017 Thana- BIRAUL District- Darbhanga

Amit Kumar Poddar @ Amit Kumar @ Amit Poddar, Son of Mantun Poddar
@ Mantu Poddar, Resident of Village - Pokhram, P.S. - Biraul, District -
Darbhanga (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Kumar Mishra, Advocate
For the O.P. No. 2	:	Mr. Anwar Karim, Advocate
For the State	:	Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 16-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 364(A) of the Indian Penal
Code.

The FIR of the occurrence of kidnapping of Satyam
Kumar Mandal is against unknown. After kidnapping, ransom
was demanded, for release of the victim, from the mobile
referred in the FIR. The petitioner confessed before the police
that he had killed the victim. During investigation, it had
revealed that the SIM Card, which was used for demand of
ransom, was used in the mobile seized from the house of the
petitioner. Petitioner is in custody since 24.04.2018.

Earlier prayer for bail was refused at the investigation



stage on 24.04.2018 in Cr. Misc. No. 5880 of 2018 as learned counsel for the informant had reported to the Court that narco test of the petitioner was under process.

The report of the learned trial Judge would reveal that four prosecution witnesses have already been examined and informant and the Investigating Officer of the case are yet to be examined.

Learned counsel for the petitioner submits that the petitioner is ready to fully cooperate with the trial.

Learned counsel for the informant opposed the prayer for bail on the ground that the trial is at the verge of conclusion, hence, one more opportunity be given to the trial court to conclude the trial.

On the basis of material further detention of the petitioner as under-trial prisoner would not be reasonable especially in absence of any material to substantiate that the petitioner would not cooperate with the trial or tamper with the evidence.

Hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in



connection with Biraul Police Station Case No. 274 of 2017,
subject to the following conditions:-

(a) The petitioner shall fully cooperate with the trial
of the case, failing which the learned court below shall be at
liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial
jurisdiction of the learned court below.

(Birendra Kumar, J)

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