

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37549 of 2019

Arising Out of PS. Case No.-376 Year-2012 Thana- NAWADA District- Nawada

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Ajay Kumar Sharma @ Ajay Sharma @ Kamlesh Kumar Son of Birendra
Kishore Sharma Resident of Mohalla- Nirmal Nagar, Manjhi Tola, P.S.-
Adityapur, District- Saraikela Kharsawan (Jharkhand).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 25-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 364A of the Indian Penal
Code.

Some unknown person demanded ransom on mobile
call and on non-fulfillment kidnapped to Rajendra Prasad and
Sunil Kumar Sahu. During investigation the victims were
recovered from near Garhwa in the State of Jharkhand. For
recovery a separate police case was registered and the victim in
his disclosure statement stated that the petitioner and others
had kidnapped him. However, the details of the statement of
the victim and Sunil Sahu would reveal that they had voluntarily



taken lift on the vehicle of the petitioner and allegation is that on the way the petitioner served Laddu which was containing some stupefying substance, which made the victims unconscious, and the victims were kept in captivity for two days. The petitioner is in custody since 17.07.2018.

Submission is that the material on record would reveal that the petitioner had deferred his visit to Ranchi on the ground of non-release of the vehicle and the victim waited for two days for release of the vehicle to accompany as gratuitous passenger on the vehicle of the petitioner. Investigation of the case is already complete.

Considering the nature of allegation and the period already undergone, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Sessions Trial No.404 of 2018, arising out of Nawada P.S. Case No.376 of 2012, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial



of the case, failing which the court below shall be at liberty to
cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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