

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39898 of 2019

Arising Out of PS. Case No.-156 Year-2018 Thana- HARNAUT District- Nalanda

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DIWAKAR KUMAR Son of Late Ramnandan Singh Resident of Village-
Kharuara, P.S.-Harnaut (Chero), District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhinay Raj

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-07-2019 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 25.02.2019 in Criminal Miscellaneous No. 78559 of 2018 with liberty to renew his prayer for bail after completing one year of Jail custody.

Petitioner seeks bail in **Harnaut P.S. Case No. 156 of 2018** registered for the offence punishable under Sections 364, 302, 201 and 120B of the Indian Penal Code.

Informant has alleged that on 29.05.2018, his brother Rakesh Kumar had gone to withdraw money from PNB Harnaut



and after withdrawing money petitioner and Gore Lal were also present at his house. In the meantime, Manish Kumar came at his house and took his brother on motorcycle and since then there is no information about his brother. It is further alleged that petitioner along with other co-accused have kidnapped his brother with some bad intention.

It has been submitted on behalf of the petitioner that petitioner is in custody since 06.06.2018 and he has completed more than six months of Jail custody. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case and period of custody, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Harnaut P.S. Case No. 156 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the



Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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