

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51481 of 2019

Arising Out of PS. Case No.-859 Year-2014 Thana- BIHTA District- Patna

Rajeev Kumar @ Rajiv Sonar S/o Bharat Prasad Resident of Mohalla-
Mogalpura, Lala Toli, Patna City, P.S- Khajekala, District- Patna

... .. Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Pankaj Kumar Singh, Advocate

For the Opposite Party : Mrs.Madhuri Lata, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 27-11-2019

Heard learned counsel for the parties.

Petitioner apprehends arrest in a case registered for the offence punishable under sections 363,365/34 and 364/34 of the Indian Penal Code on the allegation that the petitioner and other accused persons kidnapped informant's uncle.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case as the victim possess a criminal background of several extortion cases. Petitioner, not named in the FIR, has been implicated by the victim in his section 164 Cr.P.C. statement which was recorded after delay of seven months and twenty days of the occurrence. Even in the aforesaid statement, the victim has made vague allegation that the petitioner took active participation in the occurrence. Petitioner has no criminal antecedent and similarly situated co-accused Rajiv Ranjan Singh and Rakesh Kumar have already been allowed anticipatory bail by different benches of this Court vide orders dated 4.4.2018 & 22.12.2016, passed in Cr.Mis.No. 13024 of 2018 and 54308 of 2016, respectively.

In view of the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from



today, let the petitioner, mentioned above, be released 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 Additional Chief Judicial Magistrate-I, Danapur, Patna in Bihta Police Station Case No. 859 of 2014, on the following conditions:-

(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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