

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74043 of 2019

Arising Out of PS. Case No.-310 Year-2019 Thana- SHRIKRISHNAPURI District- Patna

DIPAK KUMAR, son of Raj Kumar Thakur, resident of Mohalla, Saguna
More, P.S. Danapur, District, Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sinha

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-12-2019 Heard learned counsel for the parties.

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

The allegation is regarding unknown accused persons
having kidnapped the victim boys. However, subsequently, the
said boys are said to have escaped from the clutches of the
kidnappers and complicity of petitioner came to fore upon
confessional statement made by co-accused person, Rahul
Kumar.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case. Petitioner is not named in the FIR. Petitioner has no criminal antecedent and he is in custody since 03.09.2019. Similarly placed co-accused Ashish Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 26.11.2019 passed in Cr. Misc. No.72176 of 2019.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sri Krishnapuri P.S. Case No.310 of 2019, 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 absence on two consecutive dates without sufficient reason, his 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)

Sanjay/-

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