

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1327 of 2020

Arising Out of PS. Case No.-222 Year-2018 Thana- SIKANDRA District- Jamui

SANDEEP KUMAR @ SANDEEP SAO, aged about 18 years (Male), Son of Birendra Sao @ Biro, Resident of Village - Kurhadih, P.S.- Sikandra, District- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate.

For the Opposite Party/s : Mr.Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 25-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 363 and 364 of the I.P.C.

The prosecution story, in brief, is that on 23.09.2018 at about 6.30 P.M. in the evening, the son of the informant, namely, Aadarsh Kumar @ Dhiraj Kumar, was playing in front of his house, in the meantime, two persons came on the Motorcycle and told him that his father was taking vegetable



and he is calling him. His boy had went with them. When the informant was coming to his home after closing his shop, he was given information about it on the way. Thereafter, the informant lodged the present case. The informant has claimed that some unknown person kidnapped his son by taking his name.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of confessional statement of co-accused. The victim has been recovered. His statement has been recorded under Section 161 of Cr.P.C. The victim has not named the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned J.M.



Ist Class, Jamui, in connection with Sikandra P.S. Case No. 222 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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