

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19890 of 2020**

Arising Out of PS. Case No.-643 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

HEMANT KUMAR, Son of Shri Mahesh Prasad Singh, Resident of Village -
Jarang Rampur, P.S. - Vaishali, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Manindra Kishore Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 26-06-2020 The matter has been taken up through virtual Court
proceeding.

Defects, if any, be removed within fifteen days of the
start of the physical Court.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 365 of the Indian Penal Code.

The FIR was lodged by the wife of the victim of
kidnapping and it is stated in the FIR that husband of the victim
left the house alone and thereafter he did not return. During
investigation of the case, some witnesses stated that the victim
was seen along with the petitioner and others going on in a
vehicle.



The informant in her statement under Section 164 Cr.P.C. stated that for dispute relating to non-refund of money, the petitioner might be involved in kidnapping and missing of her husband.

Investigation of the case is already complete against the petitioner.

Only material against the petitioner is suspicion and his criminal antecedent disclosed in paragraph 3 of the bail petition.

Learned counsel for the informant opposed the prayer for bail for the reason of criminal antecedent of the petitioner and other materials coming during investigation.

Considering the entire facts, especially, no direct material against the petitioner and completion of investigation of the case against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sadar Police Station Case No. 643 of 2019, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the



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

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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