

THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 19950 of 2020

=====

Yogendra Ram, aged about 45 years (M), son of Late Prithvi Ram, resident of Village-
Ajad Tola, Ward No.07, P.S+District - Madhepura

..... Petitioner

Versus

The State of Bihar

..... Opposite party

=====

Appearance

For the Petitioner : Mr. Shardanand Mishra, Advocate

For the State : Mr. Dilip Kumar no.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 25.08.2020 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

At the outset it is submitted by learned counsel for the
petitioner that the defects pointed out by the stamp reporter shall
be removed within four weeks of the normal functioning of the
Court being restored.

This order is being passed subject to the defects being
removed, as stated above.

The petitioner has filed the instant application for
grant of regular bail in connection with Saharsa P.S. Case no.
975 of 2019 registered under sections 363 and 365 of the Indian



Penal Code.

As per allegation in the F.I.R., it is stated by the informant that about six months back three named accused persons including the petitioner herein as also one Gajendra Ram took the informant's son to Maharashtra on the pretext of giving employment as a daily wager. Thereafter the son of the informant did not return. The informant states that he is convinced that his son has been sold and has been made to disappear.

It is submitted by learned counsel for the petitioner that from perusal of the F.I.R. itself it would transpire that except for an unfounded suspicion raised by the informant against the petitioner and others, there is no material against this petitioner. Further there is no explanation for the inordinate delay in lodging of the F.I.R. It is submitted that the learned Court below has relied on the confessional statement of co-accused Gajendra Ram made before police which is self-exculpatory in nature. Further the said co-accused Gajendra Ram has been enlarged on bail vide order dated 4.6.2020 passed in Cr. Misc. No. 12055 of 2020. The petitioner has no criminal antecedent and is in custody since 26.12.2019.

The application for bail is opposed by learned A.P.P. for the State.



Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with his being in custody since 26.12.2019, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Saharsa P.S. Case no. 975 of 2019 on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa.

(Partha Sarthy, J)

Bibhash

U		T	
---	--	---	--

