

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24654 of 2020

Arising Out of PS. Case No.-46 Year-2018 Thana- SIMRI District- Darbhanga

SURENDAR YADAV Son of Sri Rudal Yadav Resident of Village- Dahipura,
P.S.- Keoti, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gopal Jha, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-09-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Simri PS Case No. 46 of 2018 registered under Section 364 of the IPC.

The allegation against the petitioner and one Md. Dilshad in the FIR is of kidnaping the informant namely Chandan Kumar Ram in a Scorpio vehicle. However due to intervention of local



police and villagers they fled away in the darkness.

It is submitted by petitioner's Counsel that sister of the petitioner's friend had love affair with Md. Dilshad leading to implication of the petitioner in this case. The petitioner is in custody since 13.1.2020 and he bears no criminal antecedent. It is submitted that other co-accused persons have been allowed bail by this Court in Cr. Misc. Nos. 19937 of 2019 and 20782 of 2019.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Darbhanga in Simri PS Case No. 46 of 2018 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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