

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26685 of 2020**

Arising Out of PS. Case No.-402 Year-2018 Thana- SONEPUR District- Saran

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SAMEER CAIFE S/O Khaliqz Zama R/O Village - Rampur Keshao, P.S. -
Shyampur Batha, District - Sheohar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.A.G

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 13-10-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Sonepur P.S. Case No. 402
of 2018, registered for the offence punishable under Sections
364, 34 of the Indian Penal Code.

As per the prosecution case, the son of informant had
gone to attend the school, but he did not return his home.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. The victim
boy has been recovered and he has given his statement under
Section 164 Cr.P.C wherein the boy did not name this petitioner
as one of the kidnappers. Kidnapped boy was recovered from



the Fatama Lodge which belongs to this petitioner. Co-accused Kaushal Kumar has been granted bail by this court vide order dated 11.12.2018 passed in Cr. Misc. No. 74157 of 2018. The case of petitioner is on similar footing. Petitioner is in custody since 09.05.2018 having no criminal antecedent as stated in para 3 of the bail petition.

Learned APP however, vehemently opposed the prayer for bail and submitted that victim boy has been recovered from possession of this petitioner.

Considering the facts aforesaid and the fact that case of petitioner is not on similar footing and boy was recovered from possession of this petitioner, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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