

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25201 of 2020

Arising Out of PS. Case No.-103 Year-2019 Thana- SIMRA District- West Champaran

1. NITESH KUMAR S/o Guddu Chaudhary Resident of Village- Nautanava, P.S.- Simra, District- West Champaran.
2. Girijesh Kumar S/o Chandrika Sah Resident of Village- Garkatti, P.S.- Laukaria, District- West Champaran.
3. Dileep Kumar S/o Gamha Bin Resident of Village- Garkatti, P.S.- Laukaria, District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Ms. Mitali, Advocate Mr. Ravi Kumar, Advocate
For the Opposite Party	:	Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-10-2020 Heard Mr. Ravi Kumar, learned counsel appearing on behalf of the petitioners and Mr. Sanjay Kumar Sharma, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Simra P.S. Case No. 103 of 2019, registered for the offence punishable under Sections 363, 364(A)/34 of the Indian Penal Code.

Father of the victim has alleged in the First Information Report that his minor son went missing on 19.11.2019 and he received a call on his mobile phone demanding ransom of Rs. Three lac. for release of his son. The F.I.R. was registered on 21.11.2019.



Learned counsel appearing on behalf of the petitioners has submitted that trial has commenced and the witnesses, so far examined, have not supported the case of the prosecution. The informant's wife, who has deposed as PW-2, has also not supported the case of the prosecution, rather she has disclosed in her evidence that the victim had subsequently returned.

Learned counsel for the petitioners has submitted that he is in possession of the copies of the depositions of the witnesses and a supplementary affidavit has been filed annexing those depositions.

Considering the above submission and specific averment made in the application, this application is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J. 2nd, Bagaha, West Champaran, in Simra P.S. Case No. 103 of 2019.

Let the supplementary affidavit filed on behalf of the petitioners, as disclosed by learned counsel for the petitioners, form part of the record of this case.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two



months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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