

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24016 of 2020

Arising Out of PS. Case No.-951 Year-2018 Thana- SAHARSA District- Saharsa

MANISH KUMAR aged about 26 years Son of Sagar Poddar Resident of
Village - Simraha, Ward No. 35, P.S.- Saharsa, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikramdeo Singh, Advocate and Mr. Satish Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-11-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

The petitioner seeks bail in a case registered for the
offence punishable under sections 363, 366A/34 of the Indian
Penal Code.

Prosecution's case, in brief, is that the petitioner and
other accused persons, all named in the FIR, kidnapped
informant's daughter and demanded Rs.5 lacs as ransom.

Learned counsel for the petitioner submits that in fact
the victim had love affair with one Sankar Kumar and she
herself eloped with him out of her own sweet will. Even in the
statement u/s 164 Cr.P.C. the victim has not made any specific
allegation against the petitioner. In the medical examination, her
age has been assessed as 18 years. Charge sheet has also been
filed in the case. Learned counsel for the petitioner submits that
at best offence under section 363 Indian Penal Code may be
made out against the petitioner. It is stated in paragraph 3 of the
bail petition that the petitioner has got no criminal antecedent



and he is in custody since 7.5.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in Saharsa Police Station Case No. 951 of 2018 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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