

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70025 of 2019

Arising Out of PS. Case No.-110 Year-2019 Thana- JALALPUR District- Saran

1. DHARAMNATH SHARMA @ DHARMNATH SHARMA Son of Bikrama Sharma Resident of Village - Baniapur Tola Parsa, P.S.- Baniapur, Distt.- Saran
2. Shailesh Kumar Singh @ Shailesh Singh Son of Sudama Singh Resident of Village - Chhitauni, P.S.- Shahazidpur, Distt.- Saran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Niranjana Kumar, Advocate
For the informant	:	Mr. Arun Kumar Singh No.5, Advocate
For the State	:	Mr. Ansar Ul Haque, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for regular bail arises out of **Jalalpur P.S. Case No. 110 of 2019**, disclosing the offences under Sections 363, 365 and 364 of the Indian Penal Code.

The petitioners were posted as Panchayat Secretaries of a *Gram Panchayat*. It is alleged in the First Information Report that the informant's father who is also Panchayat Secretary of a *Gram Panchayat* had gone with the petitioners and others to the residence of co-accused Raman Singh, whereafter, he did not return.



Case diary has been called for from which it appears that one Sudhir Kumar Thakur has made confessional statement before the Police relating to kidnapping of the victim.

Learned counsel appearing on behalf of the petitioners has submitted that they have been implicated only on suspicion, as they had allegedly accompanied the victim. He has further submitted that there is no material on the basis of which motive can be assigned to the petitioners for commission of the alleged offence.

Learned counsel appearing on behalf of the Informant has vehemently opposed the prayer for regular bail and has submitted that since the petitioners were present at the house of co-accused Raman Singh, their involvement in commission of the offence cannot be ruled out, and, therefore, they should not be given privilege of regular bail.

However, considering the fact that in the case diary no material has come to directly connect the petitioners with the commission of offence and since they are in custody since 19.8.2019, this application is allowed. Let the petitioners, 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 **learned Additional Chief Judicial**



Magistrate-V, Saran at Chapra, in connection with **Jalalpur P.S. Case No. 110 of 2019**, subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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