

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12408 of 2021

Arising Out of PS. Case No.-322 Year-2020 Thana- PIRBAHOR District- Patna

=====

SONAL PRAKASH Son of Om Prakash Resident of House No.20, Gali No.3,
Khora Colony, P.S.- Indrapuri, Dist.- Gaziabad (U.P.), at Present Flat No.A-
47, Ground Floor, Lotus Villa Sector-1, G. Noida, Gaziabad, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishore

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 30-07-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 363 and 365 of
the Indian Penal Code.

As per allegation in the F.I.R., the nephew of the
informant was kidnapped by an unknown lady.

It is submitted by learned counsel for the petitioner
that in course of investigation, co-accused Mamta was caught
and she confessed her guilt before the police narrating that she
had kidnapped and handed over the boy to Dharmendra Kumar
who passed it on to Sintu Kumar, brother-in-law(Sarhu) of the
petitioner. It is submitted that in course of investigation on the



confessional statement of Mamta Devi, it has transpired that taking benefit of the petitioner who was issueless and wanted to adopt a child, they provided him the child for a payment. It is submitted that from material that transpired during in course of investigation, the petitioner has been a victim of circumstances. He is in custody since 26.10.2020 and has no criminal antecedent. Co-accused Sintu Kumar has been enlarged on bail vide order passed in Cr. Misc. no.26478 of 2021.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for more than 8 months and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Pirbahore P.S. Case no.322 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

