

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13387 of 2021

Arising Out of PS. Case No.-56 Year-2019 Thana- BHAPTIAHI District- Supaul

Abhinav Kumar @ Pandey @ Pandav Son of Mr. Chandeshwar Singh
Resident of village - Sadanandpur, P.S. - Bhaptiyahi, District - Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Vaishnavi Singh, Adv
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 25-08-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under section 364(A) of the Indian Penal Code.

Earlier the bail of the petitioner was rejected vide order dated 27.11.2019 passed in Criminal Miscellaneous No. 59987 of 2019, in which trial court was directed to conclude the trial of the petitioner within one year.

Allegation against the petitioner is of kidnapping the son of the Informant along with FIR named accused for ransom.

Learned counsel for the petitioner submits that more than one and half years have elapsed but trial of the petitioner has not been concluded as yet. He further submits that son of the Informant had gone along with his known person on motorcycle including petitioner and met with an accident and thereafter he

was treated by Doctor with the help of aforesaid persons, this fact stands corroborated by the statement of the victim recorded under section 161 of Cr.P.C at para 73 of the case diary as well as statement recorded under section 164 of Cr.P.C which is at para 83 of the case diary. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 26.09.2019 passed in Criminal Miscellaneous No. 56356 of 2019. Petitioner has got no criminal antecedent and is in custody since 04.07.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **S.T. No. 365 of 2019 arising out of Bhaptiyahi P.S. Case No. 56 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the

court below.

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

(S. Kumar, J)

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