

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15847 of 2021

Arising Out of PS. Case No.-577 Year-2020 Thana- LAKHISARAI District- Lakhisarai

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MILTON KUMAR @ ROHIT RAJ S/o Manoj Mahton Resident of Village-
Belori, P.S. and District- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajnish Chandra, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-09-2021 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 the prosecution case, it is stated by the
informant that she received information about the disappearance
of her brother when he had gone to attend coaching classes. She
states that as per information received from the local people,
some persons in a car were seen forcibly kidnapping a person
riding a bicycle. She states that she is convinced that her brother
has been kidnapped.

It is submitted by learned counsel for the petitioner



that the F.I.R. was registered against unknown. The name of the petitioner transpired in course of investigation in the confessional statement of a co-accused made before police. With respect to the material that has transpired in course of investigation and the different paragraphs of the case diary referred to in the order of the learned trial court, it is submitted that no concrete material has transpired to connect the petitioner with the alleged crime. In her confessional statement before police accused Ragini Raj states that she had entered into conspiracy with her lover Ashutosh Kumar and her brother, the petitioner herein was also involved. It is submitted that the victim returned back and has not named the petitioner either in the statement under section 161 Cr.P.C. or 164 Cr.P.C. The petitioner is in custody since 16.11.2020 and has no criminal antecedent. Chargesheet has been submitted in the case.

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 together with the material that has transpired in course of investigation and the petitioner having remained in custody for more than 10 months, the Court directs the petitioner to be enlarged on bail in connection with Lakhisarai P.S. Case no.577



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, Lakhisarai.

(Partha Sarthy, J)

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