

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.26478 of 2021

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

SINTU KUMAR S/o Lt. Shrawan Prasad Resident of Village- Chandi, Barh,
P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Rajak

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-07-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 363/365 of the Indian Penal Code.

As per the prosecution case, co-accused Mamta Kumari stole the boy and sold the boy to co-accused Sonal Prakash for Rs. One lakh. The name of petitioner transpired in the case during the course of investigation on the basis of confessional statement of co-accused, Sonal Prakash.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. The stolen boy was brought by co-accused Sonal Prakash. Sonal Prakash had taken the boy from Mamta Kumari, who has



given that boy to the accused by Godnama, and the petitioner had given him required medical dose such as BCG etc. it is submitted that from the FIR, it is apparent that boy was stolen by Mamta Kumari and recovered from possession of co-accused Sonal Prakash. Petitioner claims clean antecedent and is in custody since 26.10.2020 .

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released 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, Patna in connection with Pirbahore PS case No. 322/2020 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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