

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26384 of 2021

Arising Out of PS. Case No.-253 Year-2020 Thana- CHACKMEHSI District- Samastipur

UJJAWAL KUMAR SANU @ UJJAVAL KUMAR SHANU S/O
ASHUTOSH KUMAR CHANDAN R/O VILLAGE-TIRA JATMALPUR,
POLICE STATION-KALYANPUR, DISTRICT-SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar Pathak

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 363, 364, 302, 201, 34 of the Indian Penal Code.

As per the prosecution case, on 30.12.2020 at about 11 AM co-accused, Prabhat Choudhary and Sanjay Choudhary took away the son of informant with them. When son of informant did not return, the informant went to the house of co-accused, Prabhat Choudhary and Sanjay Choudhary to know whereabouts of her son but they abused the informant and ousted her from the house. The informant suspects that those two persons had kidnapped her son.

Learned counsel appearing for the petitioner submits



that petitioner is not named in the FIR nor any suspicion has been raised against the petitioner. The name of petitioner has come in the case during the course of investigation on the basis of confessional statement made by the petitioner before the police, which has got no evidentiary value. Save and except confessional statement of the petitioner there is no other material to suggest complicity of the petitioner in the aforesaid crime. Petitioner claims clean antecedent and is in custody since 21.01.2021 and charge sheet has already been submitted.

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 Additional Chief Judicial Magistrate-I, Samastipur in connection with Chakmaheshi PS case No. 253/2020 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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