

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25295 of 2020**

Arising Out of PS. Case No.-789 Year-2018 Thana- KANTI THARMAL
POWER District- Muzaffarpur

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Sujeet Kumar @ Balendar Singh S/o Ram Nihora Singh Resident of
Village-Sien Brijlal, P.S.-Kanti, District-Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Neeraj Kumar Alias Sanidh, Advocate
For the State : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 29-01-2021 Heard learned counsel for the petitioner and learned
APP for the State. Learned counsel for the petitioner hereby
undertakes to remove all defects pointed out by the Stamp
Reporter as and when required. It is accordingly directed that all
defects pointed out by the Stamp Reporter be removed within
one month hereof.

2. The petitioner apprehends his arrest for the offences
alleged under Section 365 of the Indian Penal Code registered in
connection with Kanti P.S. Case No. 789 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in connection with alleged kidnapping of the
informant's nephew Bachcha Singh. It is submitted that there is
no eye witness to the occurrence and except suspicion, there is



no objective material to connect the petitioner with the alleged occurrence. There is inordinate delay of about 18 days in instituting the F.I.R. on 19.12.2018 for the alleged occurrence of 01.12.2018. The petitioner is accused in three prior cases of different nature.

4. Learned APP appears and submits on the basis of case diary that investigation is still ongoing and the victim has not yet been recovered.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate (West) at Muzaffarpur, in connection with Kanti P.S. Case No. 789 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., if he is not otherwise required in any other case.

6. The provisional bail granted to the petitioner shall be confirmed by the learned Court below if upon completion of investigation, the petitioner is exonerated in the charge sheet; conversely his bail bond shall stand automatically cancelled.

7. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made



by the petitioner within the stipulated time provided in para-1
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Vikash Jain, J)

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