

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 29028 of 2020**

Arising Out of PS. Case No.-110 Year-2011 Thana- KAUWAKOL District- Nawada

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SANJAY YADAV @ DHAKA PAHALWAN S/o Suraj Yadav Resident of
Village-Islam Nagar, P.S.-Chandradeep, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr Sudhanshu Kumar Lal, Mr Umesh Prasad, Advocates
For the Opposite Party/s	:	Mr Ram Chandra Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 11-01-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Kawakole Police Station
(for brevity, *PS*) Case No 110 of 2011 instituted for the offence
punishable under Sections 364A/34 of Indian Penal Code.

The informant's son, while on his way to home, has
allegedly been kidnapped by four miscreants. It is alleged that
later on, they have demanded ransom for his release.

Learned counsel for the petitioner submits that it is a
case of false implication. The petitioner has been apprehended
merely on suspicion. He is not named in the First Information
Report nor his name has been taken in the statement of the
victim recorded before the police or in the statement recorded



under Section 164 of Criminal Procedure Code before the Court. The petitioner is on bail in the other four cases mentioned in paragraph 3 of this application. It is submitted that these are cases of 2011 and even prior to that. Further submission is that similarly situated co-accused Ravi Manjhi has already been granted bail by this Court in Cr Misc No 22049 of 2013. The petitioner is in custody in this case since 21.01.2020.

Learned APP for the State has opposed the prayer for bail. It is submitted that from the case diary, it appears that ransom has been taken by the petitioner.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Nawada in Kawakole PS Case No 110 of 20 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on



each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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