

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1478 of 2021**

Arising Out of PS. Case No.-58 Year-2020 Thana- DARPA District- East Champaran

JITENDRA KUMAR @ JITENDRA PASWAN S/o Nand Kishore Paswan @
Nand Kishor Hajra R/o Village- Rampur, P.S.- Darpa, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar,

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Advocate.
For the Opposite Party/s	:	Mr. Parmanand Kumar, APP
For the Informant	:	Mr. Rajiv Ranjan, Advocate.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 08-03-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects within four weeks of resumption of normal
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Section 364A of the Indian Penal
Code.

Allegation is of kidnapping of Mr. Kishan for
ransom. Soon after kidnapping, the victim was recovered and in
his statement under Section 164 Cr.P.C. has not named the



petitioner.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Co-accused, namely, Shila Devi has been enlarged on bail by a co-ordinate bench of this court vide order dated 09.02.2021 passed in Cr. Misc. No. 38339 of 2020. The petitioner has no criminal antecedent and has been languishing in custody since 29.04.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul at Motihari in connection with Darpa P.S. Case No.58 of 2020, G.R. No.537 of 2020, subject to the following conditions:



(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the Trial Court.

(Anjani Kumar Sharan, J)

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