

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40772 of 2020

Arising Out of PS. Case No.-24 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Manish Kumar aged 19 years (Male) S/o Hiralal Ray R/o village- Pakaha,
P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma

For the Opposite Party/s : Mr.Lalan Kumar,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 25-02-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Baikunthpur P.S. Case No. 24 of 2019 registered for the offence under Section 363 of the Indian Penal Code.

As per the prosecution case, son of the informant was found missing from 27-01-2019 and FIR was lodged on 28-01-2019 against unknown. During course of investigation, name of co-accused Sonu Kumar surfaced, who is alleged to have demanded ransom from the informant for release of the victim, and due to non-fulfillment of the same, the victim boy was killed by him.

It is submitted on behalf of petitioner that petitioner is not named in the FIR. Name of petitioner has come during course of investigation in the confession of co-accused. It is further submitted that there is no other incriminating material against petitioner to connect him with the aforesaid offence. It is



submitted that co-accused Birendra Prasad Yadav has already been granted bail by this Court, vide order dated 26-09-2019 passed in Cr.Misc. No. 44191 of 2019 (Annexure 2 to the bail application). Petitioner is in custody since 25.02.2019, having no criminal antecedent. Chargesheet has already been submitted.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri R.M. Tiwari, learned Judicial Magistrate 1st Class, Gopalganj in connection with Baikunthpur P.S. Case No. 24 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his 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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