

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9996 of 2022**

Arising Out of PS. Case No.-395 Year-2021 Thana- AGAMKUAN District- Patna

Manoj Kumar Mandal @ Manoj Mandal Son of Shri Prahlad Mandal
Resident of Village - Mahadeo Nagar Naniya, P.S.- Katihar, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 23-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Agamkuan P.S. Case No. 395 of 2021 registered for the offence
under Sections 363 and 365 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.05.2021.

The allegation against the petitioner is to kidnap the
son of the informant, where petitioner was the tenant of the
informant.

Learned counsel appearing on behalf of the petitioner
submitted that present case has been found under wrong



impression of the fact. It is submitted that petitioner and informant were known to each other for admitted position that petitioner was one of the tenant of informant. It is further submitted that as the son of the informant had friendly relation with the petitioner, who was one of the tenant of the informant, he went along with this petitioner and it was not a case of kidnapping. It is further submitted no ransom was demanded by the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, and by taking note of nature of accusation, in the background of fact that no ransom was demanded by this petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Agamkuan P.S. Case No. 395 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,



Patna City/concerned court, subject to the following conditions:

“(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(iii) That one of the bailors shall be father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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