

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12132 of 2022

Arising Out of PS. Case No.-72 Year-2020 Thana- RISIYAP District- Aurangabad

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RAJA KUMAR SON OF DILIP KUMAR SINGH @ DILIP SINGH R/O
VILLAGE- JAGDISHPUR, P.S.- JAMHORE, DISTRICT- AURANGABAD,
BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Adv.
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 364 and 120B of the Indian Penal Code.

As per the prosecution case, it is stated that while the informant along with his brother were returning in a car being driven by Lavkush Kumar Singh, it is stated that the car was stopped near a bridge in a pre-planned manner and five named accused persons including the petitioner herein together with 5-6 unknown persons on the point of pistol kidnapped Rahul Singh, brother of the informant. Inspite of search, he was not to be found.

It is submitted by learned counsel for the petitioner



that the earlier application for bail of the petitioner was rejected vide order dated 3.8.2021 passed in Cr. Misc. no.12570 of 2021. In spite of charges having been framed on 3.12.2021 and the petitioner having remained in custody since 1.10.2020, the trial has not concluded and there is not chance of the same concluding in the near future as another petition under section 311 of the Cr.P.C. has been filed on behalf of the prosecution praying for examination of three more persons as prosecution witnesses. It is submitted that the case of the petitioner stands on a similar footing to that of the other accused persons who have been enlarged on bail. The petitioner undertakes to cooperate in the trial and to abide by the conditions which may be laid by this Court for his being enlarged on bail.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody since 1.10.2020 and the contents of the report received from the learned court below, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.89 of 2021 (arising out of Risiyap P.S. Case no.72 of 2020) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Additional Sessions Judge 15th, Aurangabad, District Aurangabad on the conditions that the petitioner shall remain physically present in the trial court on each date of the trial and in case of the petitioner’s absence on any date for reasons not to the satisfaction of the learned trial court, the learned trial court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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