

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36340 of 2021

Arising Out of PS. Case No.-234 Year-2016 Thana- RAJIVNAGAR District- Patna

Chandan Kumar, aged about 24 years, male, S/o Prabhu Singh @ Ram Nath Singh R/o village- Harpur, P. S.- Parsa, District- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shyameshwar Kumar Singh, Adv.
For the Opposite Party : Mr. Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 10-01-2022 The matter has been listed today for consideration through Video Conference.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in Rajeev Nagar P. S. Case No. 234 of 2016, instituted for the offence under Section 364A of the Indian Penal Code.

The informant's son left home not to return whereafter it is alleged that ransom was demanded by some person.

Learned counsel for the petitioner submits that he is not



named in the First Information Report. Statement of the victim was later recorded under Section 164 Cr. P.C, wherein, he has stated that when the captors were demanding ransom, the petitioner was also present there. Merely on basis of such presence, the petitioner has been implicated in this case. There is no specific allegation against him and he has one criminal antecedent that is also of the year 2010-2011. He is stated to be in custody since 31.01.2021 and admitted prosecution case is that allegedly kidnapped boy was recovered.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IIIrd -cum-Sub Judge, Patna, in connection with Rajeev Nagar P. S. Case No. 234 of 2016, 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.

(Madhuresh Prasad, J)

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