

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37934 of 2022

Arising Out of PS. Case No.-171 Year-2022 Thana- MASHRAK District- Saran

SAJAN KUMAR SON OF DHANESH RAM R/O VILLAGE- MARAWA,
P.S.- BAIKUNTHPUR, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-10-2022 No one appears on call. Learned APP for the State is present.

Let the defect(s), if any, as pointed out by the office be removed within four weeks.

The petitioner is in judicial custody in connection with Mashrakh P.S. Case No. 171 of 2022 for the offences under Sections 364 and 34 of the Indian Penal Code.

As per the FIR, the informant was at the village to participate in a '*Jagran*' programme but her associate was taken away by unknown accused persons. Accordingly, FIR was lodged.

As per the averment in the bail application, the person who was alleged to have been kidnapped was recovered the same day and further having found that there was some



confusion which led to the lodging of the FIR, they tried to sort out the matter between themselves as would reflect from the Annexure-3 of the bail application. As per further averments in the bail application, the petitioner is in custody since 17.04.2022 and as per its paragraph-3, he do not have any criminal antecedent, charge sheet stands submitted and thus this Court is inclined to grant him privilege of bail. If however, it is found that he do have criminal antecedent, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned CJM Saran at Chapra in connection with Mashrakh P.S. Case No. 171 of 2022, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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