

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61945 of 2021

Arising Out of PS. Case No.-863 Year-2019 Thana- AHYAPUR District- Muzaffarpur

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SANJEET CHAUDHARY S/o Prabhu Chaudhari @ Prabhu Chaudhri
Resident of Village- Hindu Chakia, P.S.- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 363 of the Indian Penal Code.

As per the prosecution case, 17 year old son of the informant was kidnapped by unknown accused persons.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. Referring to the order of the learned Court below rejecting the prayer for bail of the petitioner together with the order dated 24.3.2021 (Annexure-2) granting bail to co-accused Dilip Kumar it is submitted that from the materials on record it would transpire that the name of the petitioner transpired in the confessional statement of co-accused Dilip Kumar made before police. In



course of investigation it transpired that the dead body of the victim was recovered from Nepal as mentioned in paragraph no. 74 of the case diary. The petitioner is in custody since 2.2.2021 and investigation in the case has concluded. Co-accused Dilip Kumar in whose confessional statement the name of the petitioner transpired has been enlarged on bail vide order dated 24.3.2021 (Annexure-2).

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the materials on record, grant of bail to co-accused Dilip Kumar on whose confessional statement the name of the petitioner transpired, the petitioner having remained in custody for more than 1 year and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Ahiyapur P.S. Case no. 863 of 2019 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 Judicial Magistrate 1st Class, East, Muzaffarpur.

(Partha Sarthy, J)

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