

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6965 of 2023

Arising Out of PS. Case No.-39 Year-2020 Thana- BITHAN BAZAR District- Samastipur

Amarjeet Yadav @ Amarjeet Kumar, aged about 26 years, Gender- Male, S/O
Hareram Yadav @ Munna Sardar, resident of Mourkahi (Sihma), P.S.- Bithan,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Bithan
PS Case No.39 of 2020 dated 07.4.2020, instituted for the
offence punishable under Sections 323, 341, 342, 364, 504, 506
of the Indian Penal Code.

3. The allegation against the petitioner is that he was a
member of the kidnapping gang which had abducted and taken
the informant and due to information to the police by the public
when the police reached the spot, the kidnappers had run away
and with the help of the public five persons were caught at the
spot while two persons fled away.

4. Learned counsel for the petitioner submits that the



petitioner was not arrested at the spot. The petitioner surrendered before the Court below on 16.11.2022. Learned counsel further submits that he has been implicated in this case due to village politics as he is on inimical terms with one Jiwach Kumar, who is the maternal brother of the informant of this case. It is further submitted that four co-accused have been granted bail by the Court below itself and one co-accused, namely, Deepak Kumar @ Ravi @ Ravi Kumar, has been granted bail by a co-ordinate Bench of this Court on 15.01.2021 vide Cr. Misc. No. 31825 of 2020. Lastly, it has been submitted that the petitioner is in custody since 16.11.2022 having no criminal antecedents and there is delay in lodging the FIR. Charge-sheet has been submitted in the case.

5. Learned APP has opposed the prayer for bail but fairly admits that there is delay in lodging of the FIR.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Rosera, Samastipur, in Bithan PS Case No.39 of 2020, subject to the conditions (i) that one of the bailors shall be a



close relative of the petitioner.

(Khatim Reza, J)

J. Alam/-

U		T	
---	--	---	--

