

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20395 of 2023

Arising Out of PS. Case No.-41 Year-2021 Thana- JOKIHAT District- Araria

MD. KONEN @ MD. KONAIN son of Dabir Village- Budhi Kashibari Ps-
Palasi Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Rana
For the Opposite Party/s	:	Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-04-2023 Heard Mr. Mukesh Kumar Rana, learned counsel for
the petitioner and Mr. Akbar Ali, learned A.P.P. for the State.

Petitioner renews his prayer for regular bail in connection with Sessions Trial No. 185 of 2021 arising out of Jokihat P.S. Case No. 41 of 2021 registered under Section 363, 364 (A), 365 of the I.P.C. on 02.02.2021 inasmuch earlier bail application of the petitioner was rejected vide Cr. Misc. No. 49888 of 2021 by order dated 11/04/2022 granting him liberty to renew his prayer for bail after three months if the trial does not show any substantial progress.

The prosecution case as per the F.I.R. is that the nephew of the informant, aged about six years, was kidnapped for ransom from his school. The name of the petitioner transpired on the basis of confessional statement of co-accused



Manoj Kumar Chaupal.

Learned counsel for the petitioner submits that the petitioner has renewed his prayer for bail after eleven months instead of three months as observed by this court in the order dated 11.04.2022. He further submits that the co-accused / Jitendra Pandit and Bijal Pandit, whose prayer for bail was also rejected by this court vide order dated 11.04.2022 have been granted bail by this court vide order dated 25.01.2023 & 15.03.2023 passed in Cr. Misc. Nos. 43959 of 2022 & 13502 of 2023 respectively (Annexure-3). He further submits that the petitioner is in custody since 07.02.2021.

Taking into consideration the fact that similarly situated accused persons have been granted bail by this court , petitioner is in custody since 07/02/2021 and this is second attempt on behalf of the petitioner for grant of bail, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000 /- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Araria in connection with Sessions Trial No. 185 of 2021 arising out of Jokihat P.S. Case No. 41 of 2021 on the condition that the petitioner shall remain



physically present on each and every date during the course of trial and in case of default on two consecutive dates, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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