

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52525 of 2023

Arising Out of PS. Case No.-201 Year-2023 Thana- KANTI District- Muzaffarpur

CHANDAN KUMAR @ CHANDAN KUMAR SINGH SON OF SRI RAM
SINGH RESIDENT OF VILLAGE- BALIHARI, PS- CHARPOKHARI,
DIST- BHOJPUR AT ARA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection
with Kanti P.S. Case No. 201 of 2023 registered under Sections
364(A)/34 of the Indian Penal Code lodged on 17.03.2023 by
the informant, Dr. Suresh Prasad Singh.

As per the prosecution story, the son of the informant
was taken away by his tenants, accused Ravi Kumar for
providing him snacks. Later, the ransom call of Rs. 30 lakhs
was received. The child was recovered next day and the name of
the petitioner came in the confessional statement of accused,
Radhe Shyam. Accordingly, the FIR.

It is the case of the petitioner that though the child



returned, he did not name him. He is in custody since 19.03.2023 (as stated in paragraph-17 of the petition) but no Test Identification Parade was conducted and the last contention is that accused, Ravi Kumar who had taken away the child has since been released on bail by a co-ordinate Bench of this Court in Cr. Misc. No. 47445 of 2023 vide order dated 02.08.2023.

Let the same be kept on record.

Learned APP for the State opposes the prayer for bail stating that it is a case of minor child being kidnapped and the name of the petitioner has come.

Considering the aforesaid submissions put forward by the learned counsel for the petitioner as also that accused, Ravi Kumar has since been extended the privilege of bail, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Kanti P.S. Case No. 201 of 2023, 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 appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) 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 his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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