

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53036 of 2023

Arising Out of PS. Case No.-308 Year-2012 Thana- DESARI District- Vaishali

CHANAR RAI @ CHANDRA RAI @ SUDHIR RAI SON OF SHIV
CHANDRA RAI RESIDENT OF VILLAGE -ISHAKPUR TEK, WARD NO
17, PS- MAHNAR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshul, Advocate
Ms. Renu Kumari, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 25-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Desari P.S. Case no.308 of 2012 registered under sections 366A, 363, 364A, 365 and 120B of the Indian Penal Code.

3. The earlier prayer for bail of the petitioner was rejected vide order dated 23.12.2022 passed in Cr. Misc. no.17499 of 2022.

4. As per the prosecution case, the daughter of the informant was kidnapped on 27.8.2012 but was not recovered. The informant states that he also received ransom calls from the mobile numbers given in the F.I.R.

5. Learned counsel for the petitioner submits that



the petitioner has been falsely implicated in the case. On merits, the complaint which led to registration of the F.I.R. subsequently was instituted two months after the alleged occurrence. The trial in the learned trial Court has commenced and the petitioner is cooperating in the trial. It is lastly submitted that on the earlier occasion, the reason for rejection of the petitioner's bail application was that he had not surrendered in the learned Court below for a period of 9 years. He undertakes to cooperate in the trial.

6. Heard learned A.P.P. for the State.

7. Having heard learned counsel for the parties and having gone through the material on record including the deposition of the two prosecution witnesses together with the petitioner having remained in custody since 5.10.2021, the Court directs the petitioner to be enlarged on bail in connection with S. Tr. no.310/2023 (arising out of Desari P.S. Case no.308 of 2012) 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 Additional District and Sessions Judge XIII, Vaishali at Hajipur on the following conditions:

(i) The petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.



In case of the petitioner’s absence on any date for reasons not to the satisfaction of the learned trial Court, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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