

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67988 of 2022

Arising Out of PS. Case No.-210 Year-2021 Thana- SATHI District- West Champaran

Prince Pandey @ Ashu Prince Pandey Son of Late Umesh Pandey @ Late Umesh Prasad Resident of Village - Dhaminaha, P.S.- Sathi, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 03-05-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Sathi P.S. Case No. 210 of 2021 dated 12.11.2021 registered for the offences punishable under Sections 363, 365 and 34 of the Indian Penal Code and Sections 8/12 of POCSO Act.
3. The main submissions advanced by learned counsel for petitioner are that the petitioner has fair and clean antecedent and he has been languishing in jail since 19.12.2021 and similarly situated co-accused Aman Sharma has been granted bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 65672 of 2022 and except the allegation of kidnapping levelled by the victims in their statements, no any other allegation was made by them. Further submissions are that

both the victims made contradictory statements before the Judicial Magistrate with regard to the involvement of the accused persons including the petitioner in the alleged crime of kidnapping.

4. Learned APP for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions and mainly the facts that both the victims have been recovered and one similarly situated co-accused, mentioned above, is on bail and the petitioner has been languishing in jail for about one year and five months and he has fair and clean antecedent and against him the investigation has been completed and except the allegation of kidnapping and hostage committed by this petitioner and co-accused persons, no any other allegation was made by the victims in their statements, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Sathi P.S. Case No. 210 of 2021.

(Shailendra Singh, J)

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