

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4720 of 2024

Arising Out of PS. Case No.-83 Year-1998 Thana- KATRA District- Muzaffarpur

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Ramlal Sah S/O Late Sukeshwar Sah R/O- Village- Kopi, P.S.- Katra, Dist.-
Muzaffarpur (BIHAR)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 01-04-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in Katra P.S. case No.
83/98 (Complaint Case No. 1830/98) instituted for the offences
under Sections 364, 365 of the Indian Penal Code.

3. Prosecution allegation, in short, is that the son of the
informant left the house and later did not return. The informant
suspects that the petitioner might have abducted his son.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The occurrence is of 16.04.1998 for which a
complaint was filed in the month of November, 1998
whereafter F.I.R. was lodged under the provisions of Section



156(3) of the Cr.P.C. After completion of investigation, charge-sheet has been submitted and cognizance has been taken by the Court below declaring the petitioner as absconder. Learned counsel for the petitioner submits that there is delay of seven months in lodging the case. Learned counsel for the petitioner further submits that the name of the petitioner has transpired in the present case only on the basis of suspicion. At best it is a case of last seen. The charge has already been framed on 24.11.2023. The petitioner, who is aged about 71 years, is in custody since 02.11.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. A report was called from the trial Court. It has been reported that charge has already been framed and till date the prosecution has not adduced single witness.

7. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner, the charge being framed as also clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Katra P.S. case No. 83/98 (Complaint Case No. 1830/98) subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) Further, the petitioner will not hamper the trial or temper with any prosecution evidence. If he is found involved in such incidence, the prosecution shall have liberty to take steps for cancellation of bail granted to the petitioner.

(Rudra Prakash Mishra, J)

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