

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52845 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- Singhaul District- Begusarai

Sachin Kumar, aged about 30 years, Son of O.P. Tanti, Resident of Village - Singhaul Dih, Ward No. 2, P.S. - Singhaul, District – Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Braj Bhushan Poddar, Advocate
For the Opposite Party : Mr. Kanhiya Kishor, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 17-09-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Singhaul P.S. Case No. 27 of 2024 dated 06.04.2024 registered for the offences punishable under Sections 363 and 365 of the I.P.C.

3. As per the prosecution case, on 02.04.2024 at about 7.00 A.M., the minor son of the informant, namely, Bobby Kumar, went with the petitioner who is neighbour of the informant. The informant and his family members searched his son but he could not be traced out.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. It is submitted that the occurrence took place on 02.04.2024 as to when the F.I.R. has been lodged on 06.04.2024 after a lapse of five days for which no explanation has been given by the prosecution and it creates doubt on the prosecution case. It is further submitted that the son of the informant is an abnormal boy and he himself has gone from his house due to angry on the alleged date of occurrence. The son of the informant has been recovered and his statement under Section 164 of the Cr.P.C. has been recorded in which he has stated that he went to *Simaria* with the petitioner on a motorcycle where the petitioner provided a cup of tea to him, thereafter, he became unconscious. When he regained his consciousness, he himself found in the house of one Ashutosh Bhumihaar at *Chattripunas*. The said Ashutosh Bhumihaar used him in lifting *dung* and for cutting *chaff (kutti)*. He was also used in doing domestic work by him. He further stated that he was dropped by one nearby people on a bus and was also given Rs. 150/-. He was also slapped by him. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 08.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Singhaul P.S. Case No. 27 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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