

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56119 of 2024

Arising Out of PS. Case No.-136 Year-2021 Thana- KESARIA District- East Champaran

Sandesh Kumar son of Hari Kishor Prasad Village- Khizirpura W.No-4, Ps-
kesariya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Shankar Prasad Yadavadv, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

6 01-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kesariya P.S. Case No. 136 of 2021 registered for the offences
under Sections 363 and 365 of the Indian Penal Code.

3. As per the FIR, the son of the informant Sanjeev
Kumar @Sanjeet Kumar was missing since 26-03-2021 and the
informant expressed doubt that the named accused persons
including the petitioner had killed him and as such, the present
FIR was lodged after a delay of 28 days i.e. on 24.04.2021.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated because he happens to be the owner of the tractor which the son of the informant used to drive. Learned counsel next submits that there is no evidence regarding the petitioner being involved in the missing of the son of the informant and during the course of investigation it also came to light that the victim had a bad character and had illicit relations with many girls. It is also submitted that other co-accused persons have been granted bail by the coordinate Bench of this Court and the orders of which have been brought on record by way of Annexures P3 and P4. Lastly, it has been submitted that the petitioner has clean antecedent and has been in custody since 03.03.2024.

5. The learned Additional Public Prosecutor for the State has opposed the prayer for bail and has submitted that the petitioner is named in the FIR.

6. Considering the aforesaid facts and circumstances of the case and taking into account that except the suspicion there is nothing on record to connect the petitioner with the alleged occurrence and other co-accused persons have been granted bail, let the petitioner, above named, be enlarged on bail on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Judicial Magistrate 1st Class, East Champaran in connection Kesariya P.S. Case No. 136 of 2021 subject to the conditions that

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(Sourendra Pandey, J)

Prakash/-

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