

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54847 of 2025

Arising Out of PS. Case No.-861 Year-2022 Thana- FATUA District- Patna

Sankalp Kumar @ Golu Kumar Son of Late Jitendra Singh Resident of
Village - Daulatpur Bariya Khurd, Rana Tola, P.S.- Fatuha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the State : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-09-2025 Heard Mr. Ajay Kumar Sinha, learned counsel for the
petitioner and Md. Satya Nand Shukla, learned APP for the State.

2. Petitioner seeks bail who is in custody since 24.03.2025
in connection with S.Tr No. 685 of 2023 arising out of Fatuha P.S.
Case No. 861 of 2022, F.I.R. dated 25.11.2022 for the offences
punishable under Section 363, 365 of the IPC but the charge-sheet
has been filed under Section 364 of the IPC.

3. According to prosecution case, the petitioner is alleged
to have kidnapped the minor son of the informant.

4. Learned counsel for the petitioner submits that earlier the
petitioner has moved before this Court for grant of regular bail in
Cr. Misc. No. 30766 of 2023 but the same got rejected vide order
dated 25.07.2023. He again moved before this Court in Cr. Misc.
No. 13278 of 2024 but the same was dismissed as withdrawn vide
order dated and 23.02.2024. Thereafter, he again moved before
this Court in Cr. Misc. No. 26847 of 2024 which was allowed vide



order dated 17.05.2024 but the bail bond of the petitioner has been cancelled by the learned Court below on the ground that he has concealed his criminal antecedent. The petitioner surrendered on 24.03.2025.

5. Vide order dated 11.08.2025, a report was called for with regard to the present stage of trial. Report of the learned Trial Court dated 21.08.2025 reveals that all the charge-sheet witnesses have been examined in this case but learned APP, on 01.08.2025, filed a petition under Section 216 of the Cr.P.C. for addition of charge under Section 307 and 386 of the IPC against the accused persons including this petitioner.

6. Learned counsel for the petitioner submits that earlier the petitioner has been granted bail by this Court and in view of the aforesaid development, he submits that the trial is not likely to be concluded in near future. The petitioner is in custody since 24.03.2025.

7. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances that earlier, the petitioner has been granted privilege of regular bail by this Court and also considering the report of the learned Trial Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned A.D.J.-V, Patna City in connection with S.Tr No. 685 of 2023 arising out of Fatuha P.S. Case No. 861 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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