

**IN THE COURT OF SESSIONS JUDGE,
KAIMUR AT BHABHUA
(BP No. 179/2026/ Filing No.2636/2026)**

In re:

1. Jawahar Bind @ Jawahir Bind, aged 63 years,
S/o Maraju Bind,
R/o Vill-Machharmara, P.S-Jamaniya, Dist-Ghazipur (U.P.)

V/s
STATE

**FIR No: 349/2001
P.S : Bhabhua
U/s: 364(A) IPC
In J.C: 11.07.2002
Date Of Order: 14.05.2026**

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1. Heard Sri Sanjay Kumar Tiwari, learned counsel appearing on behalf of the accused/ petitioner and Sh. Sachidanand Rai, learned P.P. for State.
 2. Petitioner has stated in para 2 of his bail petition that no other bail petition, either anticipatory or regular has been filed/pending except this, either in this court or before Hon'ble High Court at Patna.
 3. The case of the prosecution is that on dated 03.12.2001 at around 08:00 PM, the cousin brother of the informant Ramvilash Singh went to his boring chamber carrying food for his uncle and on dated 04.12.2001 at around 06:00 AM, when informant went to the chamber, his father told him that Ramvilash Singh has not reached the chamber and they were without food whole night and when informant along with other family members started searching for his cousin brother, they have not found him and have every apprehension that he was kidnapped by some unknown criminals.
 4. It is submitted on behalf of petitioner that he is innocent, has not committed any offence and has been falsely implicated in this case. It is further submitted that this petitioner is in judicial custody for around 24 years without any trial. It is further submitted that petitioner is not named in FIR and there is no eyewitness to the occurrence and co-accused of this case has already been acquitted and none of the witness

is examined in the trial of co-accused has taken the name of this petitioner. It is, therefore, prayed that this bail petition may please be allowed.

5. Learned PP has opposed the prayer for granting bail to the petitioner.
6. Heard the arguments of both the parties and perused the case record. Petitioner is not named in FIR. His name was surfaced during investigation in the confessional statement of co-accused mentioned in case diary. He is in judicial custody since 11.07.2002. Allegations against him are that he along with other co-accused have kidnapped villagers including the cousin brother of informant. It is submitted on behalf of petitioner that he was not named in FIR, no one has seen him committing the occurrence, his name was surfaced during investigation in the confessional statement of co-accused. It is further submitted that this petitioner is in judicial custody for around 24 years without any trial and co-accused of this case has already been acquitted in Session Trial No. 36/2005/ 49/2005 dated 22.08.2005 by FTC Vth Kaimur. Petitioner is stated to have criminal antecedent as mentioned in para 3 of his bail petition in which he is stated to be on bail.
7. Considering the aforesaid facts and circumstances and that petitioner is judicial custody for a long period of time without any trial, his bail petition is **allowed**, and the petitioner is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties with like amount each to the satisfaction of the trial court. (Dictated)

Sd/- Anurag
Sessions Judge