

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10786 of 2015

Arising Out of PS.Case No. -168 Year- 2014 Thana -HUSAINGANJ District- SIWAN

=====

1. Gena Yadav Son of Late Ram Chandra Yadav Resident of Village :
Rafipur, P.S. Hussainganj, District : Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Nagendra Pd.(App)

=====

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR
LAL
ORAL ORDER

4 25-06-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 364, 365, 368/34 of the
Indian Penal Code.

The allegation against the petitioner is that he
assaulted the victim Umesh Nath Tiwari, the husband of the
informant with other accused. On 03.07.2014 at 4.00 P.M.
Heera Pandey taken away Umesh Nath Tiwary with him and
since then he is traceless.

Learned counsel for the petitioner submits that
there is no allegation against the petitioner that he has
abducted the or took the victim anywhere and the First
Information Report has been lodged after five days. It has also
been submitted that the alleged victim has also criminal
antecedent and he was involved in several cases. He might have

been taken by someone else.

Learned counsel for the State submits that during investigation it has come to light that Heera Pandey has taken the victim Umesh Nath Tiwary to the house of the petitioner, thereafter Umesh Nath Tiwary has been traceless and the petitioner has also criminal antecedent.

Considering the facts and circumstances, the above named petitioner is directed to 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 learned Chief Judicial Magistrate, Siwan in connection with Hussainganj P.S. Case No. 168 of 2014 after framing of charge with following conditions:-

1. The petitioner will not indulge himself in similar or in any other offence.
2. One of the bailors must be the close relative of the petitioner.
3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of the bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

P.K./-

U		T	
---	--	---	--