

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41904 of 2015

Arising Out of PS.Case No. -38 Year- 2015 Thana -KUCHAIKOTE District- GOPALGANJ

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Sunil Kumar Tiwari, Son of Late Shambhu Tiwari, resident of Village-
Asandi Mahuwan, P.S. Kuchaikote, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pritish Ranjan

For the Opposite Party : Mr. Nirmal Kr.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-10-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 03.07.2015 in
a case instituted under Sections 363, 365 and 34 of the Indian
Penal Code.

As per allegation, it is a case of kidnapping of a lady,
namely, Anshu Devi, who is aged about 26 years by the accused
persons.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 03.07.2015. Chargesheet has
been submitted in the case. There is no allegation of tampering of
evidence against the petitioner. Petitioner has got no criminal
antecedent. As per the FIR, petitioner is said to have accompanied

the victim and thereafter she is said to be missing and on that basis the petitioner was made accused in the present case. Subsequently, the informant has filed a petition in the court below stating that the petitioner has been made accused due to mistake of fact which is Annexure-2 to the present application.

On behalf of the State and counsel for the Informant, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioner 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 learned CJM, Gopalganj in connection with Kuchaikote P.S.Case No.38 of 2015.

(Sudhir Singh, J)

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