

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1523 of 2015

Arising Out of PS.Case No. -320 Year- 2013 Thana -KUCHAIKOTE District- GOPALGANJ

Umapati Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh

For the Opposite Party/s Mr. Md. Ataur Rahman(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 15.01.2015 Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Kochaikat P.S. Case no. 320/2013 registered under sections 364 and
365 of the IPC.

The accusation against the petitioner is that he along with
other accused kidnapped informant's wife.

Admittedly, instant case has been registered on the basis of
complain filed by the informant.

The contention on behalf of the petitioner is that prior to
institution of the present case, informant's wife lodged Kochaikat P.S.
Case no. 58/2013 which was investigated by the police and after due
investigation, police found accusation untrue and accordingly, final
form was submitted and thereafter, informant and his associates
assaulted the petitioner for which the petitioner lodged Kochaikat P.S.
Case no. 187/2013 against the informant of the present case and others

and in retaliation to the aforesaid Kochaikat P.S. Case no. 187/2013, informant lodged the present case with false allegation.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind that the petitioner does not have any criminal antecedent, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in Kochaikat P.S. Case no. 320/2013 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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