

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22759 of 2015

Arising Out of PS.Case No. -120 Year- 2010 Thana -CHAUTHAM District- KHAGARIA

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Anil Sharma S/o Narayan Sharma, Resident of village- Thatha, P.S.-
Manshi, District- Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Anant Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 02-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Suppl. Chautham P.S. Case No. 120 of 2010 registered for the
offences punishable under Sections 364, 302, 201/34 of the Indian
Penal Code.

Case diary of the present case was called for which has
since been received.

Learned counsel for the petitioner submits that the son
of the informant was kidnapped on 22.11.2010 and the first
information report was lodged on 27.11.2010 i.e. after lapse of 6
days. It is further submitted that the informant has stated that
petitioner may have kidnapped her son as the petitioner has been
protesting against the relationship of Anil Sharma with his sister-

in-law (shali).

Learned counsel for the State after perusing the case diary submits that the story carved out in the FIR stands supported by various statements made by other witnesses but none of them are eye witness to the occurrence and they have only stated what has been communicated to them by the informant.

Considering the vague nature of allegation made in the first information report and also the fact that there is no cogent material in the case diary to support the case and the petitioner has no criminal antecedent, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in connection with Suppl. Chautham P.S. Case No. 120 of 2010, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Jagdish/-

(Anjana Mishra, J)

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