

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39770 of 2015

Arising out of PS.Case No. -138 Year- 2015 Thana -TAJPUR District- SAMASTIPUR

Mithun Kumar Poddar, S/O Naresh Poddar, R/O Village- Keshonarainpur,
P.S- Tajpur (Halai O.P), District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rina Sinha, Advocate.

For the Opposite Party : Mr. Amrendra Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is apprehending his arrest in connection
with Tajpur (Halai O.P.) P.S. Case No. 138/2015 for the offences
instituted under Sections 363, 366A and 372/34 of the IPC.

The prosecution story, in brief, is that on 02.05.2015 at
about 8.00 P.M. the sister of the informant Rubia Kumari had
gone to attend the call of nature in field but she did not return.
During course of search, it revealed that the petitioner, Mithun
Kumar Poddar, Ramesh Poddar, Rajesh Poddar, Naresh Poddar
and Deman Poddar have kidnapped the sister of the informant
with a bad intention.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. It is further submitted that the petitioner has been made accused in the present case due to mistake of fact. The victim has been examined under Section 164 Cr. P.C. where she has not named this petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Tajpur (Halai O.P.) P.S. Case No. 138/2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Samastipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)