

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5833 of 2015

Arising Out of PS.Case No. -199 Year- 2014 Thana -KHODAWANPUR District- BEGUSARAI

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Bindeshwari Verma Son of Late Shiv Chandra Verma Resident of village -
Arjun Tola, Police Station - Cheria Bariarpur, District - Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2015

Heard both sides.

The petitioner apprehends his arrest in a case registered under Sections 364, 328/34 of the Indian Penal Code and Sections 25(1-b)a, 35 of the Arms Act.

The informant alleged that the wife of Murari Mahto called him on his phone and when he went there, Murari Mahto also came along with other accused persons and kidnapped him on a Bolero jeep bearing registration no. BR-9M-1201. Udesh was driving the vehicle.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. The victim also made his statement under Section 164 Cr.P.C. but he did not disclose the name of the petitioner. The petitioner is the owner of the vehicle. The vehicle is a commercial one and the driver was driving the

vehicle on rent. The petitioner had no knowledge about the occurrence. Even during the course of investigation, except the fact that the petitioner is the owner of the vehicle, no material is collected to show that the petitioner is involved in the crime.

Considering the facts that the petitioner is the owner of the vehicle and no material is collected to show involvement of the petitioner in kidnapping of the informant, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to 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 Sri R.K. Dwivedi, Judicial Magistrate 1st Class, Begusarai in Khodabandpur P.S. Case No. 199/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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