

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47242 of 2014

Arising Out of PS.Case No. -489 Year- 2013 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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Mithilesh Kumar Rai son of Praichhan Rai, Resident of Village - Jitwarpur,
Nijamat, Bullechak, P.S.- Samastipur (Muffasil), District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amitabh Bhardwaj, Advocate

For the Opposite Party/s : Mr. Md. Sufiyan, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**
ORAL ORDER

4 19-08-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The present application under section 438 of the
Code of Criminal Procedure has been filed seeking anticipatory
bail in connection with Samastipur (Mufasil) P.S. Case No.489 of
2013 registered under sections 363 and 366A read with 34 of the
Indian Penal Code.

It is contended that save and except wild suspicion
and hypothetical presumption, there is nothing to suggest that the
petitioner is in any way concerned with the alleged abduction of
the daughter of the informant. It is further contended that in course
of investigation the witnesses have stated that the daughter of the

informant was having an affair with co-accused Rahul Kumar and it was Rahul Kumar with whom she eloped.

Learned counsel for the State submits that though one of the witnesses has stated that the petitioner was an accomplice of Rahul Kumar, there is no other material in the case diary to connect him with the present case.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order the above named petitioner shall 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 S.D.J.M., Samastipur in connection with Samastipur (Mufassil) P.S. Case No.489 of 2013 subject to the conditions as laid down under section 438(2) Cr.P.C.

(Ashwani Kumar Singh, J)

Md.S./-

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