

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40237 of 2014

Arising Out of PS.Case No. -202 Year- 2013 Thana -HUSAINGANJ District- SIWAN

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Chandra Bhushan Pandey @ Dipu Pandey, son of Vidya Bhushan Pandey,
R/o Village Hathaura, P.S. Hussainganj, Distt. Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Radhe Shyam Kumar

For the Opposite Party/s : Mr. Aditya Nr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-05-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 363, 367 and other sections of the Indian Penal Code.

The informant, the mother of Rohit Kumar, disclosed
that Dipu Pandey (the petitioner) and his mother Pramola Devi
took her son to Patna for domestic work on the assurance that her
son would be sending money but thereafter her son became
traceless. It is submitted that there is no evidence against the
petitioner. The son of the informant was working in the house of
Sanjeev Kumar Singh and the informant was receiving salary till
the year 2013. The police, after investigation, did not collect any
evidence against the petitioner. Except the statement of the
informant, there is no tangible material against the petitioner. The
supervising authority found the case false against Parmola Devi,
the mother of the petitioner, but without any tangible evidence, the

police found the case true against the petitioner.

On perusal of the record, it appears that the informant disclosed that the petitioner took her son to Patna for domestic work but her son did not return. It has come that the informant got salary of her son and since 2013 the informant did not receive any money nor did she receive any information with regard to the whereabouts of her son. From perusal of the record, it appears that the investigating officer did not try to collect any evidence as to whether the son of the informant was working in the house of Sanjeev Kumar Singh situated near Boring Road Chowraha, Patna.

Considering the facts aforesaid, 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 bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in Hussainganj P.S. Case No. 202/2013, 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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