

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3876 of 2016

Arising Out of PS.Case No. -74 Year- 2014 Thana -KARAI PARSURAI District- NALANDA
(BIHARSHARIFF)

Vidyanand Paswan, S/o Late Dhanukdhari Paswan, R/o Village-
Sampatchak, P.S.- Gopalpur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. U.L.Verma, APP

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 17-03-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with Karai
Parsurai P.S. Case No. 74 of 2014 registered for the offence
punishable under Section 364(A)/34 of the Indian Penal Code.

Allegedly, Laxman Kumar, the son of the
informant, went with co-accused Nishant @ Tuttu Kumar and
Chhote Paswan at village Shahwajpur to watch dance but the
son of the informant did not return and the two co-accused
returned from there and after enquiry, both disclosed the name
of the petitioner that he has taken away the son of the informant.

Submission is of false implication and that the



petitioner has no criminal antecedent, he has been made accused due to dirty village politics, besides the statement of two co-accused, there is nothing against the petitioner, the prosecution story appears not reliable, the mobile number which is mentioned in the First Information Report does not belong to the petitioner and further, during investigation, no call detail has been obtained. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail by submitting that the victim boy is still traceless.

In the facts and circumstances stated above, considering that the name of the petitioner was taken by two co-accused, and as such, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Hilsa, District-Nalanda in connection with Karai Parsurai P.S. Case No. 74 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part

without any reason shall disentitle the petitioner from privilege
of bail.

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(Jitendra Mohan Sharma, J.)