

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14532 of 2016

Arising Out of PS.Case No. -146 Year- 2015 Thana -MURLIGANJ District- MADHEPURA

1. Guru Prabhakar Arya son of Sri Uttam Prasad Yadav, Resident of village- Parmanandpur, P.S.- Murliganj, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Anil Kumar(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-04-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Murliganj P.S.Case No. 146/2015 registered for offence punishable under Section 366 (A)/34 of the Indian Penal Code.

The prosecution case as lodged by the informant, father of the victim, namely, Sarovati Kumari is that the petitioner along with co-accused persons kidnapped the minor daughter of the informant. It has been further alleged that in course of search the informant found missing of Rs. 40,000/- and ornaments worth Rs. 1, 00,000/- from his house.

Learned counsel for the petitioner submits that the petitioner is innocent having no criminal antecedent and has been

falsely implicated by the informant and there is some land dispute going on between the informant's side and the petitioner's side.

It has further been submitted that the statement of the victim girl recorded under Section 161 Cr. P. C. before the police and also under Section 164 Cr. P. C., the petitioner has not been named rather one Shankar Yadav has been named by the victim girl. Much less any overt act has been alleged to be committed by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating that the petitioner is named in the First Information Report.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Murliganj P.S.Case No. 146 of 2015 corresponding to G.R. No. 1150/2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J)

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