

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17866 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -ARA NAGAR District- BHOJPUR

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Bijeshwar Prasad Singh @ Brijeshwar Prasad Singh son of Late Rambadan Singh, resident of Mohalla- Jagdeo Nagar Ara, P.S.- Ara Nawada, District- Bhojpur, Ara

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mrs. Asha Kumari (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-05-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with Ara Town P.S. Case No. 5 of 2016 registered for offence punishable under Section 365 of the Indian Penal Code.

The prosecution case, in brief, is that the petitioner has abducted the father of the informant and kept him confined secretly for committing any heinous offence.

It has been submitted by the learned counsel for the petitioner that the abducted person and the petitioner are practicing Lawyers in Ara Civil Court and as per the First Information Report, they sit on the same table. It has further been submitted

that it is only on the basis of suspicion that the petitioner has been made accused. Although the date of occurrence is between 07.12.2015 and 09.12.2015, but the First Information Report has been lodged after inordinate delay on 03.01.2016. Counsel for the petitioner further submits that no case under Section 365 of the Indian Penal Code is made out against the petitioner.

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

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, Bhojpur at Ara in connection with Ara Town P.S. Case No. 5 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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