

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42974 of 2016

Arising Out of PS.Case No. -138 Year- 2016 Thana -KANKARBAGH District- PATNA

=====

1. Ashwani Kumar @ Bhola Nath Singh @Ashwani son of Keshari Kumar
@ Keshari Prasad at Present resident of Tetrai, P.S.- Panki, District-
Palamu, State-Jharkhand, Permanent resident of Village- Aima. P.S.-
Khijjarsarai, District-Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -2, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 13-12-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in custody in connection
with Kankarbagh P.S. Case No. 138 of 2016 for the offences
punishable under Sections 363/365 of the Indian Penal Code.

According to F.I.R. Nidhi Kumari was missing
from her house since 28.02.2016. The bag of Nidhi Kumari left
in the house was containing a mobile phone, which was of this
petitioner.

Submission of the petitioner is that the matter
appears to be of love affairs. The victim girl has appeared in the
practical examination of Chemistry, which was scheduled from



11.03.2016 to 21.03.2016. However, the case-diary reveals that she is still traceless.

Considering the fact that only material against the petitioner is the mobile phone of the petitioner found in the bag of the victim girl, let petitioner, above named, 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 learned Judicial Magistrate, 1st Class, Patna/Successor Court, in connection with Kankarbagh P.S. Case No.138 of 2016, corresponding to G.R.No.1408 of 2016 with condition that if further substantial material comes against the petitioner during investigation, the Court below would be competent to take steps for cancellation of the bail of the petitioner in accordance with law.

Let this fact be brought to the notice of Director General of Police, Bihar, Patna, that the police had submitted charge sheet in this case without recovery of the victim girl or tracing out her whereabouts. Appropriate action may be taken in this regard.

(Birendra Kumar, J)

Mkr./-

U		T	
---	--	---	--

