

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36929 of 2016

Arising Out of PS.Case No. -266 Year- 2014 Thana -BARHARIA District- SIWAN

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Dharmendra Sah son of Ramjee Sah Resident of Village- Mahuary, P.S.-
Badharia, Dist- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sushil Kumar

For the Opposite Party : Mr. Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 19-09-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Barharia Police Station Case No. 266 of 2014, disclosing
offences under Sections 365 of the Indian Penal Code.

The First Information Report was instituted in July,
2014, in which, the petitioner was named as an accused.

Allegedly, the informant's son had gone with the
petitioner, for doing some job. The petitioner, however, returned
but the informant's son did not. It is alleged in the First
Information Report that the petitioner had assured before the
police that the informant's son would come back soon. The
informant's son is missing.

Learned Counsel appearing on behalf of the
petitioner has submitted that no offence under Section 365 of the

Indian Penal Code is made out against the petitioner. Learned counsel for the petitioner has also submitted that he has no criminal antecedent and there is nothing in the First Information Report to indicate that he had used any force or inducement to abduct the informant's son.

Considering the submission, as above, this application is allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released 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 Chief Judicial Magistrate, Siwan in connection with Barharia Police Station Case No. 266 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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