

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40209 of 2016

Arising Out of PS.Case No. -56 Year- 2016 Thana -PANCHRUKHI District- SIWAN

=====

Raju Mali, Son of Chhathoo Mali, Resident of Village- Pagur Kothi,
Police Station- Pachrukhi, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Javed Aslam, Advocate

For the Opposite Party : Mr. Sri Bharat Lal, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends arrest in Pachrukhi P.S.Case
No.56 of 2016 for the offences alleged under Section 365 of the
IPC.

The prosecution case is that the informant's son aged
about 19 years had been taken away by the petitioner in the year
2012 to work at Kanyakumari on the pretext of giving him some
job at Kanyakumari. For about 15 days, the son of the informant
talked on telephone, thereafter he became traceless.

It has been submitted by learned counsel for the
petitioner that the son of the informant was a major being 19 years
of age and on his own statement, the informant has stated that he

is traceless for about four years as the informant's son talked to him only 15 days after being taken to Kanyakumari. He submits that the FIR has been lodged after inordinate delay in the year 2016 and no plausible explanation has been given. It has further been submitted that the petitioner has no criminal history as is evident from paragraph-3 of this application.

However, learned APP for the State submits that the petitioner is named in the FIR, hence, opposes the prayer for bail.

Be that as it may, let the above named petitioner in the event of his arrest or surrender before the learned court below within a period of eight 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 Chief Judicial Magistrate, Siwan in connection with Pachrukhi P.S.Case No.56 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

B.Kr./-

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