

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17711 of 2016

Arising Out of PS.Case No. -116 Year- 2015 Thana -DURAULI District- SIWAN

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Chhotu Patel S/o Dinanath Patel, Resident of Village- Tadwa, P.S.-
Darauli, District- Siwan..... Petitioner
Versus
The State of Bihar Opposite Party
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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Nr. Singh (App)
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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 27-06-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Darauli
P.S. Case No. 116 of 2015 registered for the offence punishable
under Sections 366/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused
kidnapped Babita Kumari Sharma, when she has gone to attend
the coaching. The petitioner used to talk through mobile with
her from earlier.

Submission is of false implication and that there is no
eye witness of the alleged occurrence, the FIR has been lodged
after much delay on 03.07.2015 for the occurrence of
19.06.2015 for kidnapping of Sangita Kumari Sharma. In
Siwan P.S. case no. 89/2015 the petitioner has already been
allowed bail, the petitioner has got no concern with the alleged
kidnapping and without any fault he is suffering in custody

since 06.08.2015.

Learned A.P.P. submits that the petitioner after kidnapping Babita Kumari Sharma again kidnapped Sangita Kumari Sharma.

In the facts and circumstances stated above, considering that first information report has been lodged after much delay, charge-sheet has already been submitted against the petitioner and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri D.N. Bhardwaj, the Learned Judicial Magistrate 1st Class, Siwan arising out of Darauli P.S. Case No. 116 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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