

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34035 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -HASANPUR District- SAMASTIPUR

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1. Sanjay Kumar Son of Dashrath Yadav resident of village - Birpur, P.S.
Hasanpur, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav

For the Opposite Party/s : Mr. Anil Kr.Singh 1(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

9 20-04-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 363 and 366 (A)/34 of the I.P.C

Allegedly, Nutan Kumari, the daughter of the
informant, became traceless from Hasanpur where she had gone to
attend the coaching and it is claimed that the petitioner and other
co-accused have made her traceless.

Submission is of false implication and that during
investigation no eye witness has come forward to say that the
petitioner has taken away the victim, there is no material against
the petitioner and without any basis the petitioner is suffering in
custody since 10.05.2015, from Annexure-1 attached with the
supplementary affidavit it will reveal that Nutan Kumari has

married with one Raju Yadav and both are living at Delhi and the said certificate has been granted by the Ward Member and Pramukh of the Panchayat Samittee, Pramukh- Hasanpur, Samastipur and other co-accused have been allowed bail as they are juvenile.

The learned A.P.P. opposes prayer for bail by submitting that the victim is still traceless.

In the facts and circumstances as stated above, considering that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is also directed to 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 Sri Dhiraj Kumar Bhaskar, J.M. 1st Class, Rosera in Hasanpur P.S. Case No. 02 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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