

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.654 of 2016

Arising Out of PS.Case No. -14 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

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1. KAILESHWAR TIWARI @ KAILESAR TIWARI @ KALESHWAR
TIWARI @ KAULESHWAR TIWARI Son of Late Baijnath Tiwari R/o
Village- Kuary, P.S.- Amnour, District- Saran (Chhapra)

.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey
For the Opposite Party/s : Mr. Madan Kumar(App)

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

3 08-03-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Saraiya P.S. Case
No. 14 of 2015 registered for the offences punishable under
Sections 365, 366/34 of the Indian Penal Code.

Allegedly, Rekha Devi the married niece of the informant
became traceless and it is further alleged that the petitioner and
other co-accused have kidnapped Rupam Kumari the daughter of
the informant with intention either to marry with her or with bad
intention.

Submission is of false implication and that the petitioner
is an old man aged about 75 years, except one case wherein he is
on bail he has got no criminal antecedent, without any legal and
cogent material the petitioner is suffering in custody, no one has

seen the petitioner committing the crime, the petitioner has got no concern with Rekha Devi who has also been made accused and as such the petitioner deserves sympathetic consideration to which learned APP opposes.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and the petitioner is an old man, the petitioner above named 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 the learned S.D.J.M., West Muzaffarpur in connection with Saraiya P.S. Case No. 14 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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