

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18301 of 2016

Arising Out of PS.Case No. -115 Year- 2015 Thana -GWALPARA District- MADHEPURA

Deo Sundar Das Son of Kameshwari Das, Resident of Village- Reshna,
P.S.- Gwalpara, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Meena Singh (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-06-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Gwalpara
P.S. Case No. 115 of 2015 registered for the offences punishable
under Sections 363 and 365/34 of the I.P.C.

Bipin Kumar Yadav, the son of the informant went to
see Ram Janki fair at Reshna and he told Mithun Kumar, that the
petitioner and other FIR named persons had called him and
thereafter the son of the informant became traceless with mobile
having mobile numbers 7283044686 and 7091245633.

Submission is of false implication only due to
suspicion, no-one has seen the petitioner in the company of the
son of the informant, no-one has seen kidnapping the victim. The
mobile of the victim was recovered from possession of one Nitish
Kumar. The petitioner without any fault is suffering in custody

since 28.12.2015, charge-sheet has already been submitted and there is no chance of tampering with prosecution evidence. No fruitful purpose is going to be served by detaining to the petitioner in custody.

Learned A.P.P., submits that the petitioner is named in the First Information Report and the victim boy was moving in the fair with the petitioner and others.

In the facts and circumstances stated above, considering that the charge-sheet has already been submitted and there is no chance of tampering with 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 the Learned C.J.M, Madhepura, in connection with Gwalpara, P.S. Case No. 115 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)

khushbu/siddharth-

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