

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21686 of 2016

Arising Out of PS.Case No. -332 Year- 2013 Thana -JAHANABAD District- JEHANABAD

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Anand Murti Vidyarthi @ Ananat Singh @ Anant Singh, S/o Bhagwat Singh, R/o Village Muther, P.S. Jehanabad, District- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhirendra Kumar Sinha, Advocate

For the Opposite Party : Mr. R.N.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-07-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in connection with Jehanabad (Karauna O.P.) P.S. case no. 332 of 2013 registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code.

Allegedly, Puja the daughter of the informant after marriage returned to her parental house and thereafter, she went out of the house but did not return. It is alleged that caller of mobile no. 9204242688 and 9852103356 has kidnapped the daughter of the informant. During investigation, the dead body was recovered from a well and then the informant raised suspicion against the petitioner and others that they have kidnapped and

killed his daughter.

Submission is of false implication and that besides suspicion there is nothing against the petitioner, he is suffering in custody since 08.03.2016, other co-accused Avinash Kumar @ Sheru Kumar and Raja Kumar have already been allowed pre-arrest bail vide Crl. Misc. nos. 666 of 2014 and 49325 of 2015 respectively by another co-ordinate Bench of this Court, there is no eye-witness of the occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner and as such, he deserves sympathetic consideration to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes by submitting that subsequently the informant has named this petitioner and also suspecting his hand in the crime.

In the facts and circumstances state above considering that charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, petitioner abovenamed is also 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 learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad (Karauna O.P.) P.S. case no. 332 of 2013, subject to the conditions that one of the bailors must be 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 the privilege of bail.

(Jitendra Mohan Sharma, J.)

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