

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1860 of 2017

Arising Out of PS.Case No. -284 Year- 2015 Thana -GARKHA District- SARAN

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Ajay Singh, S/o Sheopujan Singh, resident of Village- Sadhpur, P.S.
Garkha, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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

ORAL ORDER

3 23-02-2017 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 366 (A) and 34 of the I.P.C

Allegedly, the daughter of the petitioner brought the
daughter of the informant and thereafter the daughter of the
informant did not return and it is suspected that the petitioner and
his brother might have kidnapped the victim girl with an intention
to marry with her.

Submission is of false implication and that during
investigation it has come that the petitioner helped the informant
in searching the girl, vide paragraph-36 of the case diary, as per
knowledge of the petitioner Bijendra Singh has kidnapped the girl,
the informant after realizing the truth has filed compromise
petition and was present before the learned court below in support
of the compromise at the time of hearing of the bail petition, the



informant in paragraph- 22 of the case diary has stated before the I.O. not to arrest the petitioner as he was to go with the petitioner to search the girl, the petitioner without any fault is suffering in custody since 19.10.2016, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail of the petitioner.

In the facts and circumstances as stated above, considering that no fruitful purpose is going to be served by retaining the petitioner in custody, there is no chance of tampering with the prosecution evidence and as such the petitioner is 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 C.J.M. Saran at Chapra in Garkha P.S. Case No. 284 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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