

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.2234 of 2017**

Arising Out of PS.Case No. -187 Year- 2016 Thana -BHAWANIPUR District- PURNIA

Subodh Kumar Gupta @ Subodh Swarnkar

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**

**ORAL ORDER**

3 15-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Section 364/34 of the Indian Penal Code.

It is alleged that the husband of the informant has been kidnapped by the petitioner and despite hectic search, he could not be traced out.

It has been submitted on behalf of the petitioner that on mere suspicion, the petitioner has been apprehended and the charge sheet has been submitted against the petitioner after completing the investigation. There is no chance of tampering with the evidence of the witnesses or causing obstruction in the investigation.

The learned Additional District and Sessions Judge- V, Purnea in the impugned order has mentioned that only suspicion



has been raised against the petitioner and other accused person for kidnapping the husband of the informant with intention to kill the husband of the informant due to controversy about selling the land and the petitioner is in custody since 18.10.2016.

Considering the above facts and circumstances of the case and that the petitioner has no criminal antecedent, as stated in para-3 of this petition, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- ( ten thousand) with two sureties of the like amount each in connection with Bhawanipur P. S. Case No. 187 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Purnea, subject to condition that both the bailors will be close relatives of the petitioner.

**(Sanjay Priya, J)**

Sudha/-

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