

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29652 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -JADOPUR District- GOPALGANJ

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1. Umesh Giri Son of Late Sheojee Giri Resident of Village-Jadopur
(Sukul), P.S. Jadopur, District-Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Adv.

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-08-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in custody since 02.05.2017 in
connection with Jadopur P.S. Case No. 34 of 2017 for offences
punishable under Sections 363/366(A) of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Ujjala Kumari, aged 14 years, went to her school
but did not return back. It is alleged that her neighbor Sanni
Kumar Giri must have kidnapped her for ransom or for sale.

It has been submitted by the learned counsel for the
petitioner that Sanni Kumar Giri is son and being the father, the
petitioner has been falsely implicated in this case and he bears no
criminal antecedent. It is submitted that charge-sheet has already



been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned counsel for the informant vehemently opposes the prayer of bail stating therein that the petitioner and his son both were involved in kidnapping the minor girl of the informant, as the minor girl has stated in the statement under Section 164 Cr.P.C. that Sanni Kumar Giri had taken her away and committed rape on her.

Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on surrender of his son namely, Sanni Kumar Giri on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Gopalganj in connection with Jadopur P.S. Case No. 34 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial



as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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