

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53038 of 2016

Arising Out of PS.Case No. -136 Year- 2016 Thana -DHAMDHAHA District- PURNIA

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Birju Mahto @ Biju Kumar, son of Shiv Nandan Mahto, resident of village-
Bardaila, PS-Dhamdaha, Dist- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-01-2017 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor.

The application is for grant of bail in connection
with Dhamdaha P.S. case no. 136 of 2016 for the offence under
Section 366/34 of the Indian Penal Code.

It is submitted on behalf of petitioner that from
perusal of FIR as well as impugned order, it appears that there is
no direct allegation of kidnapping against the petitioner rather it is
against one Hemant Kr. Mahato and only allegation against the
petitioner is that he is not cooperating the informant and others in
searching the victim girl as such he had been named in the case. It
is further submitted that petitioner is in custody since 03.08.2016.

Heard learned A.P.P. also. Learned A.P.P. could
not controvert the above fact.



Having heard both sides. In view of the fact that impugned order shows that there is no direct allegation of kidnapping against the petitioner and he is in custody since 03.08.2016. As such, the bail application of petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Dhamdaha P.S. case no. 136 of 2016 with a condition that he will cooperate in the disposal of the case and make himself available on each and every date except on some genuine reason.

(Vinod Kumar Sinha, J.)

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