

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.518 of 2017

Arising Out of PS.Case No. -207 Year- 2016 Thana -PAROO District- MUZAFFARPUR

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1. Pintu Kumar Son of Ramnath Prasad Yadav Resident of Village-
Raghunathpur, PS. Dhanarua, Distt- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Mishra, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
25.09.2016 in connection with Paroo P. S. Case No. 207 of 2016
registered for the offence punishable under Sections 365 and 370
of the Indian Penal Code.

The prosecution case as lodged by the informant is
that on 19.09.2016 she was sitting beside her house in bamboo
kothi with her one year old son. In the meantime four accused
namely, Rambabu Das, Nagendra Das, Chanda Devi and Rambha
Devi came on a vehicle and forcibly took the informant to Bashra
Chowk and locked the informant with her son in Nursing Home of
Ramchandra Thakur and thereafter Chanda Devi and Rambabu
Das took her son and Rambabu Das, Nagendra Das and Ram
Chandra Thakur bought her to Muzaffarpur Railway station and



she boarded the train. The said accused persons had kidnapped and sold her son to one Pintu Kumar for Rs. 1,80,000/-.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case and he has no criminal antecedent. He submits that Sections 365 and 370 of the Indian Penal Code is not applicable against him as he has not kidnapped the child. He further submits that the son of the informant has been recovered and no incriminating article has been seized from the possession of the petitioner nor the victim boy was found from the possession of the petitioner.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances of the case, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, West Muzaffarpur in connection with Paroo P. S. Case No. 207 of 2016.

(Nilu Agrawal, J)

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