

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38862 of 2017

Arising Out of PS.Case No. -187 Year- 2017 Thana -AHIAPUR District- MUZAFFARPUR

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Manmohan Mishra, S/o Vijay Mishra, Resident of Village- Sipahpur
Bhikhanpur, P.S.- Ahiyapur, Dist- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Mr. Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Ahiyapur
P.S.Case No. 187/2017 instituted for the offence under sections
366/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that mere
suspicion has been raised against the petitioner in the complaint
petition. It is further submitted that the complainant has falsely
implicated the petitioner because of money dispute between them
in the business of property dealing. In the complaint petition it is
alleged that when the complainant returned to his house he did not
find his wife Anjali Kumari and he learnt later on that the
petitioner had come to his house and therefore, he raised suspicion
that the petitioner has kidnapped his wife. It is submitted that the
occurrence is said to have taken place on 24.2.2017 whereas



a complaint petition has been filed on 4.3.2017 after long delay.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/ arrest of the petitioner, named above, within six weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S.Case No. 187/2017, subject to the conditions as laid down under section 438(2) Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

Surendra/-

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