

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1815 of 2017

Arising Out of PS.Case No. -77 Year- 2016 Thana -PATNA GRP CASE District- PATNA

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Tarachand Prasad @ Tara Chandra Prasad S/o Late Gajju Roy R/o Village
Naya Tola Raghapur, P.S. Bakhtiyarpur, District Patna.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Sri Ataur Rahman

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 19-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bhakhtiyarpur
Rail P.S. Case No. 77 of 2016 registered for the offence
punishable under Section 363 of the Indian Penal Code in which
Section 370 (4) IPC was added later on.

Allegedly, one and half month old child of the informant
was stolen by unknown person and during investigation the said
infant was recovered from the house of the petitioner.

Submission is of false implication and that the petitioner
has tried to help out the infant child and he has kept the child for
the purpose of providing protection with love and affection, the
Police has wrongly recorded the confessional statement of
Parshuram Rai and the petitioner, the petitioner has not purchased
the said infant rather for safety purposes he has kept that infant.



The petitioner is in custody since 03.09.2016.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the safe recovery of the child and further considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Patna in connection with Bhakhtiyarpur Rail P.S. Case No. 77 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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