

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43163 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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Mangnu Paswan Son of Late Nathuni Paswan Resident of Village-Koniya,
P.S.-Kusheshwarastha, District-Darbhangha.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 14-11-2017 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
22.04.2017 in connection with Kusheshwarasthan P.S. Case No.
73/2017, for offences alleged under Sections 366, 346 and 34 of
the Indian Penal Code.

The prosecution case as lodged by the informant is that
his wife Chanchal Devi had gone to the field for cutting grass and
did not return.

It has been submitted by the learned counsel for
petitioner that he is innocent, not named in the F.I.R and bears no
criminal history. He submits that F.I.R. has been lodged after two
days delay and no plausible explanation has been given for such



delay. Thereafter, after a week the informant had filed a petition before the police that all the family members of the petitioner including the petitioner are involved in abducting his wife and the petitioner was heard by someone that the lady should not be brought in the village. He submits that only on suspicion the petitioner along with his family members including the daughter-in-law has been made accused. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses.

However, learned A.P.P. opposes the prayer for bail stating therein that victim lady is still traceless.

Considering the facts and circumstances of the case and material on record, let the petitioner named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Benipur, Darbhanga, in connection with Kusheshwarasthan P.S. Case No. 73/2017, subject to the condition that both bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/court, who will file an affidavit stating their relationship with the petitioner and that the petitioner will appear before the police/court 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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