

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17711 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -PATORI District- SAMASTIPUR

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Gama Rai, son of late Khakhar Rai, resident of village- Chandpur P.S.
Patori, District- Samastipur Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Sri Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-04-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Patori P.S. Case No. 05 of 2017, registered for offences punishable under Sections 363, 366A and 504/34 of the Indian Penal Code.

The petitioner is the father of the co-accused who have been named in the FIR along with other accused persons against whom there is allegation that they have kidnapped the victim girl.

It has been submitted on behalf of the petitioner that even from perusal of the FIR, it appears that there is no allegation of kidnapping against the petitioner, who happens to be the father of accused Nos. 1 and 2. Merely because the petitioner has assured that he will try to get the girl recovered, he has been made accused in this case.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts as stated above and there is no allegation of kidnapping against the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Samastipur in connection with Patori P.S. Case No. 05 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) Bailors of the petitioner shall be local persons having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will co-operate in the investigation of the case and make himself available as and when required by the police.

With the aforesaid observations, this application is allowed.

(Vinod Kumar Sinha, J)

S.Pandey/-

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