

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16209 of 2017

Arising Out of PS.Case No. -11 Year- 2016 Thana -HARLAKHI District- MADHUBANI

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1. Guru Saran Sah son of Foudar Sah @ Foudar resident of village - Hisar,
Police Station - Khirhar, District Madhubani. Petitioner/s
Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 06-07-2017 Heard both sides.

The petitioner apprehends his arrest in Harlakhi P.S.
case No. 11 of 2016 under Section 364 of the Indian Penal Code.

The wife of the victim, Raj Kishore Das, alleged that
her husband was running a Jeans factory but when he came to his
house the petitioner sold the clothes of the factory of the husband
of the informant. It is alleged that petitioner kidnapped the victim,
husband of the informant.

The learned counsel for the petitioner submits that
the occurrence took place on 29.06.2014 but the complaint petition
was filed on 15.04.2015 thereon FIR was registered on
27.01.2016. The victim made his statement under Section 164 of
the Cr. P. C. on 20.05.2016. From perusal of the statement of
victim itself, it would appear that entire allegation of kidnapping is
false and concocted. On account of some petty dispute the case



has been lodged.

Perused the statement of victim under Section 164 of the Cr. P. C.

It appears that the victim disclosed that he was confined in a room for two years but when he was released from the room he did not disclose the date. The statement of the victim appears to be tutored.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to 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 Sub-divisional Judicial Magistrate, Benipatti (Madhubani) in Harlakhi P.S. Case No. 11 of 2016 (G.R. No. 62/2016), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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