

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.378 of 2017

Arising Out of PS.Case No. -72 Year- 2015 Thana -BHAPATIYAH District- SUPAUL

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1. Deo Naraian Mukhiya, Son of Thakai Mukhiya, resident of Village -
Baisa, Police Station - Bhaptiyahi, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahani, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 363 and 365/34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant gave his fard beyan on 19.12.2015 that his father was missing since 15.12.2015 and hectic search was made but no clue was found. The informant suspected that the accused persons including the petitioner abducted his father due to land dispute.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The



petitioner has been made accused due to mistake of fact. In fact the victim had gone to Haridwar. Under the wrong impression the present prosecution has been instituted. The matter has already been settled as is evident from Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul in connection with Bhaptiyahi P.S. case No.72 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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