

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6569 of 2017

Arising Out of PS.Case No. -233 Year- 2014 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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Raju Musahar son of Bichandi Musahar resident of Village - Khatauri, P.S.
- Ram Nagar, District - West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 06-03-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Ram Nagar P.S. Case No. 233 of 2014 for the offences
instituted under Sections 363A/370 of the Indian Penal Code.

It is alleged that the son of the informant namely
Guddu Yadav, aged about 10 years, has been missing since
16.07.2014 but till 20.06.2014, no trace is being found and then a
sanha had been lodged in this regard.

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 is not named in the F.I.R. The alleged occurrence is



said to have been taken place on 16.06.2014. A Sanha was filed regarding the missing of the victim in the concerned Police Station on 20.06.2014. On the basis of said Sanha, an F.I.R. was instituted on 18.10.2014. The delay has not been explained by the prosecution. The petitioner and the informant are the residents of same village. A case was instituted by the family members of the petitioner against the informant on 06.02.2015. In retaliation to that the informant got the statement of the so called victim recorded on 21.05.2015, making allegation against the petitioner and the informant of Annexure-2 to the present application. It has not been explained by the prosecution that why the 164 Cr.P.C. statement of the victim was recorded after such a long delay, as to when, he was missing since 16.06.2014 and the statement was recorded on 21.05.2015.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Ram Nagar P.S. Case No. 233 of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each



to the satisfaction of learned S.D.J.M., Bagaha, West Champaran,
subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Sudhir Singh, J)

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