

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15323 of 2017

Arising Out of PS.Case No. -345 Year- 2016 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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1. PAWAN KUMAR @ PAWAN KUMAR SINGH Son of Ram Baran
Singh Resident of Village- Barabigha, P.S. Giriyak, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Nilesh Kumar

For the State : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Giriyak P.S.
Case No. 345 of 2016 instituted for the offence under Sections-
365, 368 of the Indian Penal Code.

As per written report, the son of the informant was
taken to Mumbai by this petitioner and other associate on the
pretext of providing job. The informant talked to his son three
times on mobile but he suspected the he was talking under
pressure and he told that he is working in private company. It is
alleged that in the month of September, when the informant tried
to make contact, the petitioner and his associates told that they
will get his son back, but the son of informant did not come back.



The informant contacted this petitioner who told to pay Rs. 3,00,000/- for recovery of his son.

The C.D. has been received.

Counsel for the petitioner submitted that in paragraph- 19 of the C.D. it has come that own Mamera brother of the informant has filed Sanha in Mumbai about the missing of the victim boy. He has further submitted that the other family members and witnesses also stated that the victim was living with one Babloo. In the Sanha registered by Mamera brother of the informant in Mumbai, there is no whisper of name of the petitioner.

In this manner, besides suspicion raised by the informant, there is no substantial material against the petitioner. .

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Giriyak P.S. Case No. 345 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Nalanda at Bihar Sharif subject to condition as laid down u/S 438(2) of the Cr.P.C.



with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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