

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9944 of 2017

Arising Out of PS.Case No. -133 Year- 2016 Thana -FALKAHA District- KATI HAR

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1. Tulsi Kumar Mandal @ Tulsi Mandal, son of Basudeo Mandal, resident of Village- Bhangha, P.S.- Falka (Pothia), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 07-03-2017 Heard both sides.

The petitioner seeks bail in Falka (Pothia) P.S. case No. 133 of 2016 under Section 363, 365 of the Indian Penal Code.

The informant alleged that his married daughter left her house for college on 10.08.2016 along with Tulsi Mandal, the petitioner, Linkan Kumar and Shekhar Mandal but his daughter did not return. On inquiry, the petitioner disclosed that the victim was sent to her house by auto rickshaw. The informant suspected that petitioner and other accused persons might have kidnapped his daughter.

The learned counsel for the petitioner submits that save and except suspicion there is no material on record. The prayer of petitioner for anticipatory bail was rejected vide order



passed in Cr. Misc. No. 36827 of 2016 and Cr. Misc. No. 43846 of 2016 only on technical ground that petitioner referred different paragraphs of the case diary whereas anticipatory bail petition of Shekhar Mandal was allowed and he was granted provisional anticipatory bail till the submission of charge sheet. The petitioner was arrested and he is in jail since 23.12.2016. The charge sheet has already been submitted but no tangible material showing the involvement of the petitioner in kidnapping of the victim is collected.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner 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 Sri Sunil Kumar-III, learned Judicial Magistrate, 1st class, Katihar in Falka (Pothia) P.S. Case No. 133 of 2016.

(Prabhat Kumar Jha, J)

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