

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.2584 of 2017**

Arising Out of PS.Case No. -55 Year- 2015 Thana -BATH District- BHAGALPUR

=====

Dr. Anil Kumar Sinha S/o Late Deo Narayan Mahto, Resident of Village-  
Husaina, P.S.-Mednichowki, District-Lakhisarai, at Present Posted as a  
Medical Officer, Referral Hospital, Sultanganj, P.s.-Sultanganj, District-  
Bhagalpur

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate  
Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri Satyendra Prasad

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

2      14-02-2017                      Heard learned Sr. Counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Bath P.S.  
Case No. 55 of 2015 registered for the offences punishable under  
Sections 363, 365 of the Indian Penal Code.

Allegedly, the husband of the informant was kidnapped  
by Vinod Mandal @ Jhingla Mandal along with 3-4 associates and took  
away him in Bolero vehicle, thereafter, the husband of the informant  
told the informant to return Rs. 5,00,000/- which was given by the  
petitioner to him to purchase the land and then the informant managed  
Rs. 3,50,000/- and paid to the petitioner but in spite of that the husband  
of the informant did not return. The petitioner has earlier paid Rs.  
5,00,000/- for purchasing the land from the victim. During investigation  
the victim appeared and he stated the name of the petitioner also



regarding his kidnapping.

Submission is of false implication and that it was not a case of kidnapping rather it was for realization of amount which was paid by the petitioner to the victim and the victim was not executing the sale deed, the petitioner is suffering in custody since 13.12.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that there is no chance of tampering with prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., XIII, Bhagalpur in connection with Bath P.S. Case No. 55 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

avin/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

