

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19354 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -BAUNSI District- ARRARIA

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Makeshwar Singh, son of Agam Lal Singh, resident of Village - Diyari (Mirzapur), Police Station Bousi, District Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Bousi P.S. Case No. 17 of 2017 registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code.

Petitioner is named in the FIR and there is allegation against him that he along with other co-accused had kidnapped the daughter of the informant.

It has been submitted on behalf of the petitioner that no specific allegation of kidnapping has been alleged in the FIR against the petitioner but later on the victim in her statement under Section 164 Cr.P.C. has named this petitioner also. It has further been submitted that falsity of the prosecution case will appear from the fact that petitioner and his son have been made accused in kidnapping of victim girl for marriage and this does not appear to be probable.

Heard learned APP also.

Having heard both sides and in view of the



submission, as stated above, let the petitioner, named above, surrender in the court within a period of two weeks from the date of receipt/production of a copy of this order and the court below will release him on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Shri Mithilesh Kumar, Additional Chief Judicial Magistrate-VI, Araria, in connection with Bousi P.S. Case No. 17 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that bailors should be local persons having sufficient immovable properties within the jurisdiction of court concerned and petitioner shall co-operate in the investigation and make himself available before the police as and when required and in the event of failure on his part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of his bail bonds and further petitioner will not induce any witness or tamper with the evidence and further if any incriminating materials has come against the petitioner, his bail bond shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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