

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53771 of 2018

Arising Out of PS.Case No. -32 Year- 2017 Thana -DAGARUA District- PURNIA

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1. Shivam Kumar, Son of Vijay Kumar Paswan @ Vijay Kumar, Resident of Village- Ganeshpur, P.S.- Pureni, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-09-2018

Earlier prayer for bail of the petitioner was rejected vide order dated 11.07.2017 passed in Cr. Misc. No. 26585 of 2017 in connection with Dagarua P.S. Case No. 32 of 2017 and there was allegation that he tried to kidnapp the minor daughter of the informant.

Submission of learned counsel for the petitioner that he has nothing to do with the allegation and in fact the girl was in love with co-accused Dilkhush Kumar and was going along with him and when she was caught, she out of fear raised hulla. Further petitioner has been in judicial custody since 15.03.2017 and there is no likelihood of conclusion of trial in near future and the co-accused Dilkhus Kumar has already been enlarged on bail by this Court vide order dated 02.08.2018 passed in Cr. Misc. No. 46898 of 2018.

Heard learned A.P.P. also.



Having heard both sides, in view of the above facts as well as in view of the period of custody of the petitioner, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J -III, Purnea, in connection with Dagarua P.S. Case No. 32 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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