

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70883 of 2018

Arising Out of PS. Case No.-310 Year-2014 Thana- BARACHATTI District- Gaya

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Birendra Ravidas @ Birendra Das, Son of Muneshwar Ravidas, Resident of
Village-Gothu, P.S. Bodh Gaya, Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2018

Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 120B, 323, 370, 371, 379 and 504/34 of the IPC.

The prosecution case, as per the complaint case no. 356 of 2014 filed by Ram Kishun Manjhi which ultimately got registered as Barachatti P.S. Case No. 310 of 2014, after the complaint being transferred under Section 156(3) of the Cr.P.C., is to the effect that in September, 2009 the petitioner came to the informant's house and said that his sons, namely, Shatrudhan Bhuiyan and Kailu Bhuiyan would be provided job at Delhi. Then both the sons of the informant, along with some other boys of the village, went with the petitioner to Delhi. It is further alleged that even after a lapse of five years, the sons of the informant did not return back, but other boys returned and when



he inquired about his sons from the petitioner, he was abused and assaulted.

It is submitted by learned counsel for the petitioner that there is no proof with regard to the petitioner that he took the sons of the informant to Delhi. Moreover, during the investigation the informant has admitted that one of the sons of the informant is working in Himachal Pradesh. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioner.

It appears that the informant came to know about the disappearance of his son on 22.06.2014, but the FIR was registered on 14.07.2014 though the complaint was filed on 25.06.2014.

Considering the nature of accusation and the fact that the both sons of the informant have been located, as submitted by the learned counsel for the petitioner, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM-1st Class, Sherghati



(Gaya) in connection with Barachatti P.S. Case No. 310 of 2014 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner will be accepted subject to verification by the learned Court below from the Case Diary that the informant has accepted that his other son is working in Himachal Pradesh.

(Dinesh Kumar Singh, J)

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