

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57715 of 2017

Arising Out of PS.Case No. -29 Year- 2014 Thana -HASANPUR District- SAMASTIPUR

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1. Mahesh Kumar S/o Upendra Sah, R/o Village- Sohma, P.S.- Bithan,
District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.N.P. Sinha, Sr. Adv.
Mr. Jitendra Narain Sinha, Adv.
Miss. Rashmi Bharti, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Hasanpur P.S. Case No.
29 of 2014 instituted for the offence under Sections- 363, 364(A) of the
Indian Penal Code.

Learned counsel for the petitioner has submitted that it is
alleged that son of the informant, aged 10 years, did not return from the
'Yagya' on 29.03.2014. A ransom call has been received from mobile
no. 9798104049, demanding Rs. 17,00,000/- by un-known person. It is
further stated the mobile number, from which the alleged ransom call
has been made, does not belong to the petitioner and do not tally with
the mobile number (8678075307), which is mentioned in para 161 of
the case diary. Petitioner has no criminal antecedent. Petitioner resides
in Delhi with his family and he has no concern with the alleged



occurrence.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Hasanpur P.S. Case No. 29 of 2014 to the satisfaction of learned Judicial Magistrate-Ist Class, Rosera, Distt. Samastipur subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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