

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63067 of 2017

Arising Out of PS.Case No. -353 Year- 2013 Thana -BUXAR District- BUXAR

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1. Krishna Kant Choubey, S/o Naradmuni Choubey, R/o Village-
Bhakhawa, P.S.- Sikaraul, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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

ORAL ORDER

2 31-01-2018 Heard the learned counsel for the petitioner and

learned APP for the State.

In this application, the petitioner apprehends his
arrest for the offences in connection with Buxar P.S. Case No. 353
of 2013 punishable under Section 365 of the Indian Penal Code.

The petitioner is not named in the F.I.R. and during
investigation, the name of the petitioner does not transpire
resulting he has not been charge-sheeted. The name of the
petitioner has come during trial and then he has been summoned
under Section 319 Cr.P.C.

Submission is of false implication and from the
statement of prosecution witnesses, it appears that the petitioner
has got no role in kidnapping rather he has helped in searching the



son of the informant and, as such, the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail by submitting that during trial, the witnesses have stated the name of the petitioner regarding his hands in the crime.

Considering the facts and circumstances as stated above, the petitioner, in case of his surrender or arrest within four weeks from the date of receipt/production of a copy of this order shall be enlarged 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 Learned Additional District Judge-VI, Buxar in connection with Buxar (T) P.S. Case No. 353 of 2013 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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