

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48137 of 2018

Arising Out of PS.Case No. -250 Year- 2015 Thana -BAKHTIARPUR District- SAHARSA

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1. Prabhash Kumar S/o Chandar Yadav R/o Village Chakla, Police Station -
Salkhua, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Bakhtiyarpur P.S.Case no.250 of 2015 dated 24.6.2015 , registered for offences punishable under Sections 363, 366A, 380, 504 and 34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping along with other co-accused persons.

Submission of the learned counsel for the petitioner is that statement of the girl recorded under Section 164 of Cr.P.C. shows that she disclosed her age as 19 yeas and she has stated that she married with co-accused Ashish Chaudhary and not made any allegation against these petitioner.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-I-cum-Special Judge, Saharsa in connection with Bakhtiyarpur P.S.Case No.250 of 2015, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With 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 co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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