

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50488 of 2018

Arising Out of PS. Case No.-104 Year-2018 Thana- VAISHALI District- Vaishali

Sri Nath Kumar, S/o Vinod Sahni, R/o Vill.- Nagwaa, P.S.- Vaishali (Belsar O.P.), Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Vaishali P.S. Case No.104 of 2018 registered under Sections 366 and 379/34 of the Indian Penal Code.

The accusation is that four persons, named in the F.I.R., including the petitioner entered the house of the informant pointing the revolver, threatened the family members of the informant and took gold and silver ornaments and cash Rs.50,000/-. Thereafter, on the point of pistol, they kidnapped Minkala Devi with bad intention. In spite of search, Minkala Devi, the daughter-in-law of the informant, could not be traced out.

Learned counsel for the petitioner submits that the petitioner and the informant are co-villagers. The petitioner has



falsely been implicated in this case by lodging the F.I.R. by the informant after eight days of the occurrence. Further submission is that due to quarrel in the family, the victim Minkala Devi left her matrimonial house and proceeded with the petitioner for Chennai and returned to Gorakhpur from there and also stated that she does not want to lead her conjugal life with her husband at her matrimonial home, which would appear from the statement of the victim, annexed as Annexure-P-2 to this application.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Vaishali P.S. Case No.104 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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