

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14011 of 2018

Arising Out of PS.Case No. -108 Year- 2017 Thana -PIPRA District- SUPAUL

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1. Gaurishankar Rai S/o Yogendra Rai, R/o Village- Sahpur, Prithibipatti,
P.S.- Bhaptiyahi, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Pipra P.S.Case no.108 of 2017 , registered for offences punishable
under Sections 363/365 of the Indian Penal Code.

Petitioner is not named in the FIR and allegation as per FIR
is of kidnapping/abduction of the son of the informant and later on
name of the petitioner transpired during the course of investigation
of the case.

Submission of the learned counsel for the petitioner is that
except confession there is absolutely nothing against the petitioner
and other co-accused have been granted bail, vide order dated
18.10.2017 passed in Cr. Misc. No.47079 of 2017 and order dated
19.12.2017 passed in Cr. Misc. No.48367 of 2017 with Cr. Misc.
No.52777 of 2017 with Cr. Misc. No.53822 of 2017.

Heard learned A.P.P. also. Who has opposed the prayer for
bail stating that his name transpired from the confession of the co-



accused.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the court below within a period of six weeks from the date of receipt of the order and on his surrender he will 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 ACJM IIIrd, Supaul in connection with Pipra P.S.Case no.108 of 2017 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.
- (iv) If during the investigation any relevant material comes against the petitioner, the prosecution shall move before the learned court below for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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