

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20007 of 2018

Arising Out of PS.Case No. -172 Year- 2017 Thana -SARAI District- VAISHALI(HAJIPUR)

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1. Shailesh Kumar S/o Ram Lal Paswan, R/o Village- Paura Madan Singh
(Tola Dharahara), P.S.- Sara Distt.- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Sarai P.S.Case No.172 of 2017 , registered for offences punishable under Sections 366(A), 386, 323 and 120(B) of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the minor daughter of the informant.

Submission of the learned counsel for the petitioner is that earlier also a case for kidnapping of the minor daughter had been lodged, in which he has been granted bail and in her statement recorded under Section 164 Cr.P.C. she had stated that she had married with the petitioner and the FIR clearly shows that after breaking ventilator she fled away, as such the petitioner has been falsely implicated in this case.

Heard learned A.P.P. and the learned counsel for the



informant. They have opposed the prayer for bail stating that earlier anticipatory bail was granted but the same bail bond was cancelled alter on.

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 A.C.J.M. XIII, Vaishali at Hajipur in connection with Sarai P.S.Case no.172 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.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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