

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46921 of 2018

Arising Out of PS. Case No.-27 Year-2012 Thana- SAUR BAZAR District- Saharsa

Raj Kumar Paswan son of Late Kamo Paswan, resident of Village- Golma
O.P. Patarghat, P.S. Sour Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Sri Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 363, 368, 371, 504, 120B of the Indian Penal Code.

The allegation against the accused persons is of abducting the son of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. In course of investigation, the witnesses examined in paragraphs 5, 6 and 7 of the case diary have stated that the victim boy had gone to shop and thereafter he did not return.



Except for suspicion, there is no other substantive evidence to implicate the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 27/2012, G.R. No. 246/2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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