

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62598 of 2017

Arising Out of PS.Case No. -371 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Upendra Kumar S/o Rajbalabh Prasad, R/o Village- Nayagaon, P.S.-
Kesaria, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-01-2018 Heard the parties.

The petitioner seeks regular bail in Motihari (Town)
P.S. Case No. 371 of 2016 registered for the offence under Section
363, 366(A) of the I.P.C.

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

Submission of the learned counsel for the petitioner is
that he was not named in the F.I.R. and later on his name
transpired only on the basis of suspicion against him. It is also
submitted that the petitioner four cases were filed against the
petitioner out of four except one three cases were filed by either of
the informant or by her husband or his family members. Informant
is in habit of filing such cases. Final form has been submitted in two



cases. He is in custody for about 5 ½ months.

Heard learned A.P.P. as well as learned counsel for the informant who opposed the prayer on account that victim girl has not been recovered so far.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged 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 C.J.M., Motihari (East Champaran), in Motihari Town P.S. Case No. 371 of 2016, subject to the conditions that (1) one of the bailors must be local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The petitioner will not induce any witness or tamper with the evidence. (3) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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