

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30437 of 2018

Arising Out of PS.Case No. -137 Year- 2017 Thana -DANIYAWA District- PATNA

=====

1. Siju Varghese aged about 34 years, S/o- Varghese, resident of Village-Valia Kunnail, P.O.- Valiambam, P.S.- Kenichira, District- Kolarat Kunnail Vayard, State- Kerla at present resident of Viddupur Near Khilwat Petrol Pump, P.S.- Bidupur, District- Vaishali, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sushant Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 14-09-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Daniyawar P.S. Case no.137/2017 , registered for offences punishable under Sections 363, 365 of the Indian Penal Code.

Allegation against the petitioner as per FIR is of kidnapping the minor girl of the informant.

Submission of the learned counsel for the petitioner is that the main allegation is of kidnapping against one Pintu Paul and the petitioner is a villager and only allegation against him of assisting the main accused.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that the girl has not been recovered up-till-now.



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 order and on 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 Smt. Sabita Rani, J.M. Ist Class, Patna City in connection with Daniyawan P.S.Case No.137 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) He has to co-operate to the Investigation Officer in investigation and assist him in tracing out the girl, otherwise his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-



U		T	
---	--	---	--

