

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10105 of 2018

Arising Out of PS. Case No.-153 Year-2014 Thana- BIDUPUR District- Vaishali

Rajesh Singh S/o Lakhandeo Singh, R/o Village- Daudnagar, P.S.- Bidupur,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7 28-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Bidupur P.S. Case No.
153 of 2014 instituted for the offence under Sections 365 and
120B of the Indian Penal Code.

In the written report, it is alleged that this petitioner, who
is brother-in-law of Subodh Rai took away the grandson of
informant on the pretext that he will get share in the land to the
grandson of the informant. The grandson of the informant is
traceless since then.

A supplementary affidavit has been filed on behalf of the
petitioner wherein it is stated that brother-in-law of the
informant namely Subodh Rai has filed title suit bearing Title
suit no.612 of 2014 for cancellation of sale deed dated



02.05.2014 executed by Manoj Kumar Rai (victim) who is said to be the nephew of the co-accused namely Subodh Rai because the brother of Subodh Rai namely Nawal Kishor Rai @ Nawal Rai is traceless from the year 1988 and thereafter, the Nawal Kishor Rai (mother of victim) left the matrimonial house and started living with Raj Narayan Rai and the victim was born from aforesaid illicit relationship.

Case diary has been received in this case.

Learned counsel for the State submits that besides suspicion there is no allegation of specific overt act against this petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Bidupur P.S. Case No. 153 of 2014, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate



in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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