

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61680 of 2017

Arising Out of PS.Case No. -316 Year- 2017 Thana -SHEKHPURA District- SEKHPURA

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Kuber Kumar, Son of Ram Chandra Yadav, resident of Village-
Churamanpur, Police Station- Rahui, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-01-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

This is an application for grant of anticipatory bail in
connection with Sheikhpura (Kusumbha) P.S. Case No. 316 of
2017 registered for the offence punishable under Section 395 of
the Indian Penal Code.

The allegation is regarding unknown accused persons
blind folding the driver of the tractor and thereafter kidnapping
him.

The learned counsel for the petitioner submits that the
petitioner is innocent and the tractor has been recovered from one
co-accused person namely Kaushal Yadav and no recovery has
been effected from the house of the petitioner herein. It is further
submitted that the petitioner has a clean antecedent.

This Court had called for the case diary and upon
perusal of the same, it transpires that the victim driver has not



disclosed the name of any accused person and more over no T.I. Parade has been held till date.

Considering the facts and circumstances of the case as also the fact that neither the petitioner has been named by the victim driver nor any recovery has been effected from his premises, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura (Kusumbha) P.S. Case No. 316 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is directed that the petitioner would cooperate and join the investigation and in case the Prosecution finds that the petitioner is not cooperating in the investigation, they would be at liberty to move this Court for cancellation of bail of the petitioner.

(Mohit Kumar Shah, J)

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