

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39360 of 2018

Arising Out of PS.Case No. -122 Year- 2017 Thana -BARHARA District- BHOJPUR

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Gautam Kumar @ Gautam Yadav, son of Late Ram Byash Ray, Resident
of Village- Pachrukhia Kala, Police Station- Koilwar, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-09-2018 Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner is languishing in judicial custody since
25.02.2018 in connection with Badhara P.S. Case No. 122 of
2017 for offences punishable under Sections
341/323/379/366(A)/34 of the Indian Penal Code.

The prosecution case by way of complaint case no.
35 (C) of 2017 which was later on converted into P.S. Case
under Section 157 (3) of the Cr. P.C. is that her daughter Neha
Kumari age 16 years was kidnapped by one Chotu Pandey along
with two others on gun point. While going from the house, she
took away Rs. 50,000/- cash and one golden chain from the



house.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the F.I.R. and only on the confessional statement of the victim girl before the Magistrate wherein she has named the petitioner along with one Sanjay Singh who had taken her away, he has been made accused. He submits that the victim girl has already performed marriage and other co-accused Sanjay Singh on similar allegation has been granted privilege of pre-arrest bail by a co-ordinate Bench of this Court. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara, in connection with Badhara P.S. Case No. 122 of 2017, subject to the condition that one of the bailors would be a close relative of the



petitioner having sufficient immovable property, who will file
an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/Priyanka

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