

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69586 of 2018

Arising Out of PS. Case No.-158 Year-2018 Thana- THAWE District- Gopalganj

CHHOTELAL PANDIT @ CHHOTE PANDIT Son of Jatan Pandit Resident
of Village- Kabilaspur, P.S. Thawe, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 06-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Thawe P.S. Case No. 158 of 2018 registered
for the offences punishable under Sections 363, 365, 302, 201 of
the Indian Penal Code.

Informant has alleged in his written complaint that
his 18 months old son Ayush Kumar went outside the house at
1:50 P.M. and when he came out after 10 minutes, he could not
find his son. During search petitioner Chhotelal Pandit told that
he and his family has seen the kid but none stopped him. They
are on inimical terms for last several years. He alleged that kid
has been kidnapped by him however, subsequently the dead
body of kid was recovered from the canal and it came in the



postmortem report that he died of drowning.

It has been submitted that petitioner is innocent and has been falsely implicated in this case due to previous enmity. Petitioner has no criminal antecedent and is in custody since 13.08.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon 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, Gopalganj, in connection with Thawe P.S. Case No. 158 of 2018 subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the 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.

(S. Kumar, J)

Rajiv/Manoj

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