

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29484 of 2018

Arising Out of Case No. -236 Year- 2017 ROHTAS COMPLAINT CASE District- SASARAM
(ROHTAS)

=====

1. Shyam Avatar, S/o Narain Prakar @ Narain Prakash, Resident of Mohalla- Kotha Toli, P.S.- Sasaram Town, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Urmila Devi, W/o Om Prakash Singh, Resident of Village- Barki Karpurwa, P.S.- Darigaon, District- Rohtas.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 18-05-2018

Heard both sides.

The petitioner apprehends his arrest in Complaint case No. 236 of 2017 for the offences allegedly committed by the petitioner under Section 365 of the Indian Penal Code.

The complainant alleged that her daughter had gone to school and when she came out from the school to purchase toffee some persons kidnapped her. Her daughter disclosed that petitioner and one Anup Kumar were also there where the victim was kept confined.

The learned counsel for the petitioner submits that complainant earlier filed Sasaram Town P.S. case No. 1411 of 2015 registered under Section 364, 366A/34 of the IPC against the petitioner and Anup Kumar. The police after investigation submitted final form finding the case mistake of facts. Thereafter, the complainant filed the complaint case and the case was



proceeded on complaint. It is further submitted that husband of complainant took Rs. 2,25,000/- from the petitioner and she was a witness to the acknowledgement of loan. The husband of complainant does not want to repay the amount that is why this false case has been lodged.

Taking into consideration the fact that complainant earlier filed Sasaram Town P.S. case No. 1411 of 2015 for the kidnapping of her daughter but police after investigation submitted final form finding the case mistake of fact and the case proceeded on complaint, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to 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, Rohtas at Sasaram in connection with Complaint case No. 236 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

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

