

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7630 of 2019

Arising Out of PS. Case No.-131 Year-2017 Thana- BIND District- Nalanda

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TAPPU YADAV, Aged about 35, (M) S/o Sri Baso Yadav village-Chhatarpur,
P.S.-Bind, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 20-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Bind P.S. Case No. 131 of 2017** registered for the offence punishable under Section 363 of the Indian Penal Code and later on under Section 364 of 120B of the Indian Penal Code were also added.

Informant has stated in his written complaint that his son, Suraj Kumar who used to live in Gujarat had come to his house on the eve of Chhath and on 08.11.2017 in the evening, he went outside, and thereafter, never returned. He tried to locate him after making inquiry from his friend and relatives but his whereabouts could not be ascertained. His mobile was also found switched off. He has no enmity with anyone.

It has been submitted that the name of the petitioner



has surfaced in this case on the subsequent statement made by the informant and his father under Section 164 Cr. P.C. in which he suspected that Tappu Yadav (petitioner) has kidnapped and killed his son.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He is not named in FIR, however, subsequent to FIR informant has raised suspicion against the petitioners of kidnapping and killing his son. It has been further submitted that similarly placed co-accused persons have been granted bail by this Court as contained Annexure-3. He is in custody since 02.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **A.C.J.M.-IV, Bihar Sharif**, in connection with **Bind P.S. Case No. 131 of 2017**, with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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)

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