

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22570 of 2019

Arising Out of PS. Case No.-365 Year-2018 Thana- CHAINPUR District- Kaimur (Bhabua)

Bindu Bind, S/o Piyu Bind R/o village- Lohara, P.S.- Chainpur, District-
Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 09-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Chainpur P.S. Case No.365 of 2018, Registration No.3048 of
2018 for the offence punishable under Sections 364, 302, 201/34
of the Indian Penal Code.

The allegation against the petitioner as per the First
Information Report is that the informant alleged that on
16.12.2018, the son of the informant was taken away and
subsequently abducted by five accused persons named in the
FIR with an intention to kill. The FIR has been lodged on
19.12.2018, i.e., after lapse of three days.

Learned counsel appearing for the petitioner submits
that petitioner is not named in the FIR and his name has come in



the re-statement of the informant. Learned counsel further submits that there is no cogent material against the petitioner during the course of investigation and based upon the re-statement of the informant, some of the witnesses have taken the name of the petitioner that the victim was also seen with the petitioner.

On the other hand, learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that confessional statement of co-accused has been recorded but unfortunately, the same is not mentioned in the case diary.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the petitioner is not named in the FIR and his name has transpired in the re-statement of the informant taken after some time and no cogent material has come against the petitioner during the course of investigation, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below 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, Kaimur at Bhabua, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

sanjeev/-

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

