

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29899 of 2019

Arising Out of PS. Case No.-416 Year-2018 Thana- RUPASPUR District- Patna

Mrityunjay Giri @ Mrityunjay Kumar Son of Ram Pravesh Giri Resident of
Village- Teluahn, P.S.- Nautan, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoranjan Kumar, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 21-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 29.11.2018 has
filed the instant application for grant of bail in connection with
Rupaspur P.S. Case as No. 416 of 2018 registered for the
offence punishable under sections 363, 366A and 34 of the
Indian Penal Code.

As per the allegation in the FIR, it is stated by the
informant that his daughter had gone to market with her mobile
phone but did not return. In course of enquiry it transpired that
several phone calls were made on his daughter's mobile from
two other mobile phones belonging to one Manjay Giri and the
other of Punam Devi. It is further stated by the informant that he
is convinced that his daughter has been kidnapped and the
mother and father of the said Manjay Giri (as also of the
petitioner herein) have a hand in the kidnapping.



It is submitted by learned counsel for the petitioner that the petitioner happens to be the brother of Manjay Giri and except for the unsubstantiated suspicion as raised by the informant in the FIR, there is no material whatsoever against this petitioner. Further the case of the petitioner stands on the similar footing to that of the co-accused, father of the petitioner who has been enlarged on bail by order dated 30.07.2010 passed in Cr. Misc. No. 46723 of 2019.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the fact that similarly situated co-accused has been enlarged on bail, the Court is inclined to enlarge the petitioner on bail. Let the petitioner be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, II, Danapur (Patna) in connection with Rupaspur P.S. Case No. 416 of 2018.

(Partha Sarthy, J)

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