

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69800 of 2018

Arising Out of PS. Case No.-124 Year-2017 Thana- BALIYA District- Begusarai

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Ajay Mishra S/o Bhola Mishra Resident of Village-Manserpur,P.S.-
Ballia,Distt.-Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Bhaskar Shankar
For the State : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-01-2019 Counsel for the petitioner is permitted to make necessary correction in paragraph 1 of the application in the light of the paragraph 56 of the case diary in course of the day. In course of investigation, Section 302 of the I.P.C. has also been added in the present case.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 363/34 of the Indian Penal Code. Later on, Section 302 of the I.P.C. has been added.

The prosecution case, in short, is that the accused persons including the petitioner kidnapped the son of the informant.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the



petitioner. The petitioner has been made accused due to mistake of fact. There is no substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness on the point of abduction of the victim. Only suspicion has been raised against the petitioner. Later on, the dead body of the victim was found. Thereafter Section 302 of the I.P.C. was added in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Ballia P.S. case No.124 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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