

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46194 of 2019

Arising Out of PS. Case No.-389 Year-2012 Thana- SAUR BAZAR District- Saharsa

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Arun Yadav. Aged about 35 years Male, Son of Hulo Yadav Resident of
Village- Tiri, P.S.- Sour Bazar (Bajinathpur O.P.), District- Saharsa.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Satish Kumar Singh, Advocate

For the Opposite Party : Mr.Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 06-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed this application for bail in
connection with Sour Bazar P.S. Case No. 389 of 2012
registered for the offence under Sections 364, 506 and 120B of
the Indian Penal Code.

As per the allegation in the FIR, the petitioner is said
to have called the son of the informant and who accompanied
him. It is stated that thereafter, son of the informant did not
return. It is further stated in the FIR that in the past, regular
threats had been given by co-accused Gajendra Yadav and it
appeared that it was as a result of conspiracy that his son had
been kidnapped.

It is submitted by learned counsel for the petitioner
that even as per FIR, the son of the informant is said to have



gone with him at 10 a.m. It is further submitted that no material has transpired in course of investigation to implicate him in the instant case. He has no criminal antecedent and is in custody since 14.12.2018.

The application for bail is opposed by learned APP for the State who submits that this is a case of the year 2012.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody since 14.12.2018, grant of bail to co-accused Bidyanand Yadav by order dated 27.05.2013 passed in Cr. Misc. No. 16564 of 2013 and grant of bail to other co-accused by order dated 24.12.2013 passed in Cr. Misc. No. 19291 of 2013 and Cr. Misc. No. 30791 of 2013, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case no. 389 of 2012.

In view of the fact that this is a case of the year 2012, it is directed that the petitioner shall remain personally present in Court on each date of trial and in case of absence of the



petitioner on two consecutive dates for reasons not to the satisfaction of the learned trial court, the trial court shall cancel the bail bond of the petitioner and shall take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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