

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58573 of 2019

Arising Out of PS. Case No.-289 Year-2019 Thana- GAURICHAK District- Patna

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BIDESHI SAO @ VIDESHI SAW Son of Late Satyanarayan Sao Resident of
Village - Sonachak, P.S.- Gaurichak, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-11-2019 This application, for grant of anticipatory bail, arises

out of Gaurichak P.S. Case No. 289 of 2019, disclosing offences

under Sections 363, 365 of the Indian Penal Code.

Allegation as per F.I.R. is that the brother of
informant had gone with the petitioner, thereafter, he is
traceless.

Submission of learned counsel for the petitioner is
that the victim is mentally retarded person and he had himself
gone somewhere and petitioner has been made accused in this
case only because, he was last seen with the victim and except
that there is nothing against the petitioner. Further submission is
that the informant himself has published the notice for
“Gumshuda ki Talash” but in spite of that he has falsely
implicated the petitioner in this case.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below three weeks weeks from the date of receipt of this order, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, Patna, in connection with Gaurichak P.S. Case No. 289 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure with further subject to the condition that he has to appear before the Investigating Officer of the case and has to cooperate in tracing out the victim.

It is also made clear that if during investigation, if any serious incriminating material except what is mentioned in the F.I.R., comes against the petitioner, prosecution will be at liberty to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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