

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68733 of 2019

Arising Out of PS. Case No.-258 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

SONU KUMAR @ SONU PATHALWAL Son of Rajkishor Prasad @
Harikishor Prasad Resident of Bangali Pakadi, P.S.- Siwan Muffasil, Distt -
Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking
regular bail in connection with Siwan Mufassil P.S. Case
No. 258/2019 registered under Sections 363/366(A)/34 of
the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has wrongly been implicated in this case due to
previous enmity as the land dispute between informant and
father of the petitioner is going on since long. The victim
girl has come back and in her statement made under Section
164 Cr. P.C. she has stated that co-accused Raunak Miya
had kidnapped her, however petitioner is in custody since



14.08.2019.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein the victim girl has come back and in her statement under Section 164 Cr.P.C. she has categorically stated that the co-accused Raunak Miya had kidnapped her and has also narrated the role of another co-accused Shahil who was sitting in the Bus which was going to Delhi and in her statement she has not made any allegation against the petitioner and the petitioner being in custody since 14.08.2019 having no criminal history, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Siwan Mufassil P.S. Case No. 258/2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

- (a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,
- (b) that such person shall not commit an offence



similar to the offence of which he is accused, or suspected,
of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly
make any inducement, threat or promise to any person
acquainted with the facts of the case so as to dissuade him
from disclosing such facts to the Court or to any Police
Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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