

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65183 of 2019

Arising Out of PS. Case No.-106 Year-2019 Thana- PUNAURA District- Sitamarhi

Vijay Sundarka (Proprietor Of R.O.S. School), Son of Late Ram Prasad Sundarka, Resident of Village - Ward no. 10, Gudri Road, Near Ram Vilash Temple, Sitamarhi Chak Mahila, P.S.- Sitamarhi, District - Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Alok Kumar Alok, Adv.
For the Opposite Party/s	:	Mrs.Dr. Indihar Kumari, APP
For the Informant	:	Mr. Surendra Kishore Thakur, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 17-01-2020 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioner in this case is seeking anticipatory bail in connection with Punaura P.S. Case No.106 of 2019 registered for the offences punishable under Sections 363 and 365 of the Indian Penal Code.

Earlier, a learned coordinate Bench of this Court while calling for the case diary had granted interim protection to the petitioner. The case diary has been received in this case.

Learned counsel for the petitioner has drawn the attention of this Court towards the investigation made so far and the supervision note of the senior police officer who has stated in paragraph 41 of the case diary that as regards the involvement



of this petitioner the investigation on certain points were required to be made and thereafter in supplementary case diary the statement of the witnesses had been recorded in paragraph 7 and 8 who have stated that so far as this petitioner is concerned, he is a respectable person and is running a school and thereafter in paragraph 20 onwards in the supplementary case diary it has come that the Vicky @ Madhu had a talk with this petitioner from Muzaffarpur, the mobile location of the petitioner was in Sitamarhi and in his submissions no material at all has been collected to allege any motive against this petitioner in the matter of missing son of the informant.

Learned counsel for the informant and learned APP for the State have opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, the submission of learned counsel for the petitioner as noticed hereinabove and further submission that the materials present in the case diary at this stage are not showing any prima-facie material to connect the petitioner with this case, let the petitioner in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to



the satisfaction of learned C.J.M., Sitamarhi in connection with
Punaura P.S. Case No.106 of 2019, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself
available for interrogation by a police officer as and when
required;

(ii) a condition that the 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;

(iii) a condition that the person shall not leave India
without the previous permission of the Court.

Let the case diary be returned to the learned court
below.

(Rajeev Ranjan Prasad, J)

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