

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82044 of 2019

Arising Out of PS. Case No.-172 Year-2019 Thana- GOVINDGANJ District- East
Champaran

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VISHUNDEO RAM, aged about 38 years, Male, Son of Pragash Ram,
Resident of Village - Mananpur, P.S.- govindganj, Distt.- East Champaran
... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar No.1, Adv.
For the Opposite Party : Mr. Mohammed Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 23-06-2020 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the state through video

conferencing.

The petitioner seeks pre-arrest bail in connection with

Govindganj P.S. Case No. 172 of 2019, registered under

Sections 366(A), 370, 10(B), 504 and 34 of the Indian Penal

Code.

The accusation is that on 20.05.2018, when the

complaint/informant returned to his house he did not find his

son, Sweat Bin, aged about 16 years, who was mentally

retarded. In course of search, no trace was made of him till

11.00 a.m. of the next morning. Harendra Ram was seen

moving with his son, Sweat Bin, towards village Mamanpur.

Thereafter, informant reached at the house of Harendra Ram.



He made query from his brother, Vishundeo Ram, who replied that Sweat Bin had gone with his brother, Harendra Ram, then, informant made protest that his son, Sweat Bin, is mentally retarded why he had taken him for doing the work of labourer, then, he replied that his son will be paid Rs.300/- per day with food. In spite of much persuasion, his son has not been handed over by the said persons.

Submission is that it would appear from the complaint petition, which is the basis of the first information report, that while occurrence is of 20.05.2018 the complaint petition is filed on 22.04.2019. More so, the mentally retarded son of the complaint/informant was accompanied by co-accused, Harendra Ram, but, the petitioner has also been made accused in this case being the brother of Harendra Ram. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Govindganj P.S. Case No. 172 of 2019 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at



Motihari, or the successor Court subject to the conditions as laid
down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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