

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83615 of 2019

Arising Out of PS. Case No.-108 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

SHIV RATAN SINGH @ SHIV RATAN PRASAD Son of Late Ram Kishun
Singh Resident of Village - Jalalpur, P.S.- Maranchi, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Arun

For the Opposite Party/s : Mrs.(Dr.) Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 01-07-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Piri Bazaar P.S. Case No. 108 of 2019, disclosing the offence under Sections 363/366/34 of the Indian Penal Code.

The informant is the father of the alleged victim, who, according to the case of the prosecution, had been kidnapped by the son of the petitioner and others. It is further alleged that when the informant contacted this petitioner telephonically about kidnapping of his daughter, the petitioner abused him and admitted that his son had kidnapped the informant's daughter.

Learned counsel appearing on behalf of the petitioner has submitted that even if the case of the prosecution is treated to be correct at its face value, no offence of abduction is made out against this petitioner, who has been implicated only because he is the father of co-accused Shankar Kumar Singh.



On perusal of the FIR, I find substance in submission made on behalf of the petitioner. The case diary also does not disclose any material suggesting petitioner's involvement in commission of the offence.

Considering the above, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Lakhisarai in Piri Bazaar P.S. Case No. 108 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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