

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86872 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- KURSAKANTA District- Araria

LAXMAN SARDAR S/O Kinu Sardar R/O Village - Sreepur, Ward No. 07,
P.S.- Pratapganj, District - Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-01-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 366A, 120B and 34 of the Indian Penal Code.

Informant in his written complaint has alleged that his niece Nishu Kumari had gone to the house of Shankar Jha and became traceless and after much search she could not be traced. Thereafter on 09.08.2019 he came to know that she was seen talking with Ashutosh Mishra @ Chhotu Mishra near Durga Mandir. He has further alleged that Ashutosh Mishra has kidnapped her niece.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion. Petitioner is not named in the FIR. The



occurrence is of 06.08.2019 but FIR was instituted after delay of 7 days on 13.08.2019. Petitioner has got no criminal antecedent and is in custody since 07.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Kursakanta (Sonamani Gudam) P.S. Case No. 207 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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