

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2663 of 2022

Arising Out of PS. Case No.-123 Year-2021 Thana- PARSAUNI District- Sitamarhi

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Rama Sah, Son Of Fudeni Sah Resident Of Village - Sundargama, Ward No.3,
P.S.- Parsauni, Distt.- Sitamarhi.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s :	Mr. Ram Sumiran Rai, APP
	Mr. Arvind Kumar- Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 363,
370/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that four years ago, the petitioner along with named
accused had taken her son to Surat (Gujarat) for doing work on
contract. It is next alleged that initially, the informant was in
contact with the son, but after one month, the son was in contact
with the informant. It is next alleged that when the petitioner
returned back home without her son and on inquiry, did not



reply satisfactorily about her son, as such, based on suspicion that the petitioner might have sold his son had instituted the present F.I.R.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that petitioner and the informant are co-villagers. It is also submitted that it was wish of the informant that her son had accompanied the petitioner and the co-accused to Surat for doing work. It is next submitted that petitioner in no manner was responsible for his day to day affair. It is also submitted that if the son of the informant was not in her contact one month after leaving for Gujarat, then what prevented the informant for instituting an F.I.R. promptly. It is next submitted that even the occurrence had taken place in Gujarat and the present F.I.R. came to be instituted in Bihar and the entire allegation hinges around suspicion.

The learned counsel for the informant as well as learned A.P.P. opposes the bail application,

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail



on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Parsauni P. S. Case No.123 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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