

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13474 of 2021

Arising Out of PS. Case No.-269 Year-2018 Thana- OBRA District- Aurangabad

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Upendra Kumar @ Upendra Paswan @ Dharmendra Kumar @ Dharmendra Paswan, aged about 35 years, male, Son of Krishana Paswan, Residence of Village - Bhroob, P.S. - Obra, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 10-02-2022 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Obra P.S. Case No. 269 of 2018, dated 20.12.2018, instituted for the offences under Sections 120(B), 147, 148 and 365 of the Indian Penal Code.

By order dated 03.01.2022, the case diary was called for. The case diary has since been received.

The counsel for the petitioner has pointed out that



the complaint lodged by the wife of so-called kidnapped person was converted into the subject F.I.R. The accusation against all the accused persons is general and omnibus that they have conspired to kidnap the victim.

It has further been submitted that after three days of the husband of the informant going missing, a station diary entry was recorded at the instance of the son of the informant stating that his father remained under mental stress and strain and he may have left for some unknown destination. It has also been submitted that during the course of investigation, nothing has been collected against the petitioner. What is the basis for suspecting the hands of the petitioner has also not been clarified by the informant.

All other accused persons of this case have been granted anticipatory bail by a Bench of this Court *vide* order dated 24.07.2019 passed in Cr. Misc. No. 18950 of 2019.

It has further been submitted that prior to this case, the petitioner was made accused in two other cases and in both the cases, he is on bail.

Regard being had to the facts afore-stated, the



petitioner, in the event of his arrest or surrender before the learned Court below within a period of four 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 learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Obra P.S. Case No. 269 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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