

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31805 of 2022

Arising Out of PS. Case No.-204 Year-2017 Thana- DHANAHA District- West Champaran

BIHARI KUSHWAHA @ SHYAM BIHARI KUSHWAHA S/o Lakshmi
Kushwaha @ Pujari Kushwaha Resident of Village- Banbirpur, Sidhua, P.S.-
Padrona, District- Kushi Nagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 30-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Petitioner seeks regular bail in a case registered for the
offences punishable under Sections 363 and 365/34 of the Indian
Penal Code.

As per allegation, the petitioner and co-accused persons
came at the house of the informant and requested informant's father
to accompany them to Bagaha and thereafter victim went along with
co-accused and thereafter he did not return to his house and after that
the informant enquired from the petitioner and co-accused about the
presence of the victim but they did not give any satisfactory reply
and misbehaved with the informant.

The main submissions advanced by Sri Milind Kumar



Mishra, the learned counsel appearing for the petitioner are that father of the informant chided the victim owing to that he himself went somewhere in which petitioner had no role, petitioner is poor labourer and there is no specific allegation against him and he has been languishing in jail since 25.1.2022 and several co-accused persons have been granted bail by different benches of this court vide annexures 2 series.

Sri Akhleshwar Dayal, learned APP appearing for the State has opposed the prayer for bail.

In view of above submissions and mainly considering petitioner's case being similar to co-accessed persons who have been granted bail by different benches of this court vide annexure 2 series, he has been charge sheeted and his case appears to be at initial stage of trial, in the opinion of this court, a lenient approach can be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate I, Bagaha, West Champaran in Dhanha P.S Case No. 204 of 2017.

(Shailendra Singh, J)

s.hassan/-

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