

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14315 of 2023

Arising Out of PS. Case No.-184 Year-2021 Thana- BUNIYAD GANJ District- Gaya

MAHENDRA CHAUHAN @ MAHENDRA JAMADAR Son of Bhagwan
Jamadar @ Bhagvan Jamadar R/v- Naudhariya, P.S.- Buniyadganj, District-
Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Buniyadganj P.S. Case No. 184 of 2021 registered for the offences punishable under Sections 363, 365 and 34 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that on 06.09.2021 in the morning at 6:00 A.M. his twelve years old son went for nature's call and in the meanwhile the named accused persons abducted him and he has not yet been found.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned



counsel submits that there is admitted land dispute between the parties. The victim boy has returned safe.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that the victim boy has returned safe, in this case the F.I.R. has been lodged on 07.09.2021 but it was received in the learned court below on 23.09.2021 and a learned coordinate Bench of this Court has granted anticipatory bail to the two co-accused vide Cr. Misc. No. 21563/2022, hence the petitioner being similarly situated with the co-accused who have been granted privilege of pre-arrest bail, as also he has otherwise no criminal antecedent, therefore, this court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 20,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate - VIII, Gaya in connection with Buniyadganj P.S. Case No. 184 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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