

Patna High Court - Orders

Shankar Paswan vs State Of Bihar on 29 September, 2010

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.35956 of 2010

SHANKAR PASWAN

Versus

STATE OF BIHAR

-----

2. 29.09.2010 Heard learned counsel for the petitioner and the State.

The petitioner is languishing in jail custody since 09.06.2008 in a case registered under Sections 364A, 346 and 120/34 of the Indian Penal Code.

It is alleged that the petitioner took the victim against his wishes The F.I.R. reflects that the petitioner was shifted from one place to another. The victim subsequently under Section 164 Cr.P.C. statement named the petitioner. Moreover there is allegation that the ransom was demanded.

It is submitted by learned counsel for the petitioner that the F.I.R. was lodged when the victim returned. The F.I.R. is registered on the basis of the Fardbeyan of the victim which suggests that the victim was kept in different guest houses and not stayed in lonely place and there is nothing on record to suggest that actually the demand was made. The statement has been made in Paragraph-14 that the petitioner has no criminal antecedent.

Considering the period under custody and the fact that no ransom was paid and having clean antecedent, let the petitioner namely, Shankar Paswan 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 learned Additional Sessions Judge, F.T.C.-II, Darbhanga, in connection with Sessions Trial No. 122 of 2009 arising out of Laheriasarai (Benta) P.S. Case No. 59 of 2008.

Anand Kr.

( Dinesh Kumar Singh, J.)