

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25493 of 2015

Arising Out of PS.Case No. -66 Year- 2015 Thana -JAYNAGAR District- MADHUBANI

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Rajeshwer Yadav @ Rajeshwar Yadav Son of Late Mishri Yadav, resident
of Village-Kuadh, P.S.- Jay Nagar, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Gajendra Pd.Yadav (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-07-2015

Heard both sides.

The petitioner seeks bail in a case under Sections 364
and 379 of the Indian Penal Code.

The father of the victim made allegation that the
petitioner along with Saroj Yadav and Bhola Yadav kidnapped his
son Pawan Kumar Gupta. Learned counsel for the petitioner
submits that the informant and his brother Ram Prakash Gupta had
taken money from the petitioner for executing a sale deed but he
did not either return the money nor executed the sale deed. When
the petitioner put pressure for execution of the sale deed, the
petitioner has falsely been implicated in the case. The victim
returned on the same day and made his statement under Section
164 of the Code of Criminal Procedure. The victim alleged that he
was kidnapped by the petitioner and two others, but the falsity of

the case appears that he was let out on the same day.

Learned counsel for the informant, on the other hand, vehemently opposed the prayer for bail and submitted that 15 years ago, the brother of the informant was also brutally assaulted by the petitioner and others.

There appears that the petitioner and the informant are on litigating terms from before. The informant himself admitted before the Panch, as appears from Annexure-2, that he agreed to sell a piece of land but the sale deed was not executed.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 learned S.D.J.M., Madhubani in Jay Nagar P.S. Case No. 66 of 2015.

(Prabhat Kumar Jha, J)

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