

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39896 of 2014

Arising Out of PS.Case No. -182 Year- 2014 Thana -BAKHRI District- BEGUSARAI

Paltan Rai Son of Ram Kishun Rai Resident of Village - Rachiyahi Naya Tola, P.S. - Matihani, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.47050 of 2014

Arising Out of PS.Case No. -182 Year- 2014 Thana -BAKHRI District- BEGUSARAI

Shit Rai S/o Maheswar Rai Resident of Imadpur, P.S. Bakhri, District - Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.39896 of 2014)

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Gulnar Begum (App)

(In Cr.Misc. No.47050 of 2014)

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Ajit Kumar (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

3 14-01-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

The petitioners seek regular bail in a case registered for the offence punishable under Sections 364, 120(B) and 34 of the Indian Penal Code. It is alleged that son of the informant Rajesh Kumar @ Baua was taken to Maharashtra by the petitioners to work as a labour for which he was given an advance of rupees fifteen thousand. It is

alleged in the complaint petition which is the basis for institution of the First Information Report that the victim Rajesh Kumar was missing since 18.05.2014.

Case diary was called for by an order dated 22.10.2014 which has been received, learned counsel appearing on behalf of the petitioners contend that no offence under Section 364 of the Indian Penal Code is made out even on the basis of allegation contained in the complaint petition. It has been further submitted, referring paragraphs 3 of these two applications of bail that they do not have any criminal antecedent. They further submit that nothing has come in course of investigation on the basis of which offence under Section 364 can be said to be constituted against these petitioners. Learned Additional Public Prosecutor appearing on behalf of the State of Bihar has failed to bring any specific material against these petitioners to connect them with the offence alleged.

In view of the above, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Bakhari P.S. Case No. 182/2014.

(Chakradhari Sharan Singh, J.)

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