

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35917 of 2015

Arising Out of PS.Case No. -256 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Durga Yadav Son of Suresh Yadav, Resident of Village- Barari, P.S:-
Barari, District:- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmod Kumar

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Sections 364/34 and 307 of the Indian Penal Code.

It is alleged by the informant that his son Ganpat
Rai alias Gulcha did not return home since evening of 04.05.2015.
Search was made but he was not traced out. It is further alleged
that from unknown source it has come to his knowledge that the
petitioner along with other co-accused persons have taken dinner
of chicken and wine upto 10 P.M. of 04.05.2015.The aforesaid
miscreants told the informant that up to 10 P.M. of 4.5.2015, his
son was with them and thereafter they have no knowledge of
whereabout of Ganpat. The informant is confident that the

petitioner and his associates have kidnapped Ganpat Rai.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 12.05.2015. Charge sheet has been submitted in this case. There is no allegation of tampering with the evidence against the petitioner. It is a case of last seen. There is no direct or indirect evidence against the petitioner.

On behalf of the State and counsel for the informant it has been submitted that the petitioner is named in the FIR and prior to the recovery of the dead body they were seen accompanying the deceased.

Considering the facts aforesaid, let above named 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 learned C.J.M., Bhagalpur in Kotwali P.S. Case no. 256 of 2015, G.R. No. 1514/125.

(Sudhir Singh, J)

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