

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27939 of 2015

Arising Out of PS.Case No. -18 Year- 2015 Thana -JHAJHA District- JAMUI

1. Raj Kumar Baranwal Son of Late Mithura Barnwal R/o village - Rajla,
P.S. Jhajha, Distt. - Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.40880 of 2015

Arising Out of PS.Case No. -18 Year- 2015 Thana -JHAJHA District- JAMUI

1. Sonu Burnwal @ Vikash Kumar Bharti son of late Awadh Kishore
Burnwal resident of village Narganjo, P.S. Jhajha, Dist. Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.27939 of 2015)

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Ramesh Chandra (App)

(In Cr.Misc. No.40880 of 2015)

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. H.A.Khan(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 15-10-2015 Both the Criminal Miscellaneous arise out of the same
occurrence and as such both have been heard together and are
being disposed of by passing this common order.

Heard the learned counsel for the petitioners as well
as the learned A.P.P.

The petitioners seek bail in a case for the offences punishable under section 364 (A) of the I.P.C

It is submitted that the petitioners are not named in the F.I.R and have falsely been implicated in this case. No kidnapping has actually been taken place and on the very day of lodging of the F.I.R. the victim himself came back. The victim has only stated the vague names of Sonu, Monu, Ranjan and Munna. No test identification parade has been conducted though the petitioners are in custody since 23.03.2015 and 26.05.2015 respectively. Similarly situated co-accused Monu Baranwal @ Niwas Baranwal has been allowed bail vide Cr. Misc. No. 17516 of 2015 by order dated 20.07.2015 by another coordinate Bench of this Court.

The learned A.P.P. submits that the witnesses vide paragraphs- 10, 11 and 12 have stated that the miscreants were moving near the Bank and Sonu Baranwal was earlier associated with the Naxal organization.

Considering that the petitioners have not been put on test identification parade and against them there is vague allegation and further the petitioner Raj Kumar Baranwal has got no criminal antecedent and petitioner Sonu Burnwal @ Vikash Kumar Bharti having three criminal antecedents is on bail in all the three cases and as such both the petitioners are directed to 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 S.D.J.M. Jamui in Jhajha P.S. Case No. 18 of 2012, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

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