

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24036 of 2015

Arising Out of PS.Case No. -88 Year- 2014 Thana -NARHAT District- NAWADA

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Dinesh Prasad Son of Bholi Mahto Resident of village - Badalpur, P.S.
Narhat, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2015 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner is apprehending his arrest in connection with
Narhat P.S. Case No. 88 of 2014 for the offences instituted under
Sections 120B/364/302/201 of the I.P.C.

The prosecution story, in brief, is that informant's son
(the victim) had been carried by Radhey Prasad to Kohlapur to do
work of labour but the son of the informant was sent back to his
home with the Phuphera brother of the informant, namely, Dinesh
Prasad (the petitioner) and Dinesh Prasad disclosed that his son
has been got down by T.T.E. at Dawn Station and he will return
within 2-4 days. But when the informant's son did not return with
the petitioner, he went to Kolhapr and asked about his son from
Radhey Prasad, Sanjay Prasad and Dinesh Prasad who did not say

anything about his son rather Dinesh Prasad told that he has given in writing to Railway department and if his son is traced, he will come with him. The informant suspected that the accused persons kidnapped or killed his son and disappeared his dead-body and to save themselves they lodged Sanha in the Railways Police.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner has falsely been implicated in this case merely on suspicion for the reason that the victim has been kidnapped. The petitioner and his wife were travelling in the same train but in different coaches. Ultimately, the victim did not reach his native village and hence the present case was instituted. It is further submitted that there is no direct or indirect evidence against the petitioner for kidnapping the victim. Merely on suspicion petitioner is named in F.I.R.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Narhat P.S. Case No. 88/2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the

learned Chief Judicial Magistrate, Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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