

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40725 of 2014

Arising Out of PS.Case No. -8 Year- 2014 Thana -GAYA MUFFSIL District- GAYA

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Deepak Kumar son of Ravindra Pandey, resident of village- Janakpur, P.S.-
Mufassil, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.42450 of 2014

Arising Out of PS.Case No. -8 Year- 2014 Thana -GAYA MUFFSIL District- GAYA

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Chhotu Kumar son of Sri Nagendra Singh resident of Mohalla - Janakpur,
P.S. Mufassil, District - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.40725 of 2014)

For the Petitioner/s : Mr. Md.Imteyaz Ahmad

For the Opposite Party/s : Mr. Akbar Ali(App)

(In Cr.Misc. No.42450 of 2014)

For the Petitioner/s : Mr. Saptashwa Singh

For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 03-03-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

These two bail petitions are being heard together and

are being disposed of by this common order.

The petitioners are in custody on surrender since

6.5.2014 in Gaya Mufassil P.S. Case No.8 of 2014 for the offence

under Sections 365/34, 302 and 364 of I.P.C.

The allegation against the petitioners is that they came to the house of the informant and took away her son, namely, Tinku Kumar on the pretext of some important work with him. However, the petitioner along with Chhotu Kumar returned after some time to the house of the informant and asked for Tinku Kumar upon which the informant told that Tinku Kumar had gone with you and he did not return so far. Then the petitioner Deepak Kumar told that Tinku Kumar had taken his motor cycle.

Learned counsel for the petitioners submitted that though the occurrence is of 30.12.2013 the case of missing was registered by the informant after four days, i.e., on 4.1.2014 which casts serious cloud on the prosecution and to this effect no plausible explanation has been given. It is further submitted that the said Tinku Kumar had criminal antecedent and had taken the motor cycle of the petitioner Deepak Kumar which has not yet been recovered.

Learned counsel for the petitioners further submits that the informant has named these two petitioners only because they had stated that they will be filing a case against her son Tinku Kumar for taking their motor cycle. It is further submitted that the petitioner Deepak Kumar has got no concern with mobile

No.8539948921 or its call detail record from 4.00 P.M. to 8.00 P.M.

Considering the aforesaid submissions and also the fact that the petitioners are in custody since 6.5.2014 having no criminal antecedent, let both the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the C.J.M., Gaya, in Gaya Mufassil P.S.Case No.08/14.

(Anjana Mishra, J)

AnilKrSinha/-

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