

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18238 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

=====

Subhas Prasad son of late Bidya Sah resident of village - Katahan, P.S. -
Muffasil Motihari, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

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

Petitioner is accused in connection with Moffasil
Motihar P.S. Case No.02 of 2015 registered under Sections 364,
307 and 120B of the I.P.C.

The allegation of informant Ayub Mian is that on
28.12.2014 in the morning grandson of the informant aged about 5
years went along with his uncle, Lalbabu Azad Alam for grazing
she-buffalo. Thereafter, informant's grandson and son of Lalbabu
Azad Alam were returning to his house in playing manner but his
grandson went somewhere and missing. The informant raised
suspicion against the petitioner that he might have kidnapped his
grandson, as the petitioner had told to meet grudge to him or his
son and grandson at his tea shop earlier.

Learned counsel appearing on behalf of the petitioner submits that statement of Lalbabu Mian was recorded by the Police in paragraph no.7 of the case diary, but he did not disclose the name of petitioner about committing the murder of grandson of the informant. In fact, Partition Suit No. 569 of 2008 has been filed by Lalan Prasad against the petitioner, in which informant of the present case is witness and at the instigation of Lalan Prasad, the name of the petitioner has falsely been implicated in the present case. It is submitted that petitioner is in custody since 03.01.2015.

Having considered the facts and circumstances of the case, let the 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 S.D.J.M, Sadar, East-Champaran at Motihari in connection with Muffasil Motihari P.S. Case No. 02 of 2015.

(Rajendra Kumar Mishra, J.)

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