

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30742 of 2014

Arising Out of P.S. Case No. -137 Year- 2013 Thana - MASRAKH District- SARAN

Bhikhar Rai, Son of Late Haricharan Rai, Residing of Village - Mathya,
P.S. Masrakh, Dist.-Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Rana Paratp Singh, Sr. Advocate.
For the Opposite Party/s : Mr. (APP).
For the informant : Mr. Alok Ranjan, Advocate.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

5 30-01-2015 Heard both sides.

The petitioner seeks regular bail in Masrakh P.S.
Case No. 137 of 2013 registered under Sections 365 and 364 of
the Indian Penal Code.

The informant made allegations that Rahul Ranjan
Singh, his grand-son was working as a driver of Bhikhari Rai. It is
further alleged that Rahul Ranjan Singh fled away with Pooja
Kumari, the daughter of the petitioner, but the daughter of the
petitioner did not return. The informant further alleged that he
came to know from his villagers residing in Laxmipur, New Delhi
that the petitioner along with his relatives went to Delhi and
brought Rahul Ranjan Singh and Pooja Kumari. Pooja Kumari
appeared in court but Rahul Ranjan Singh is missing. The

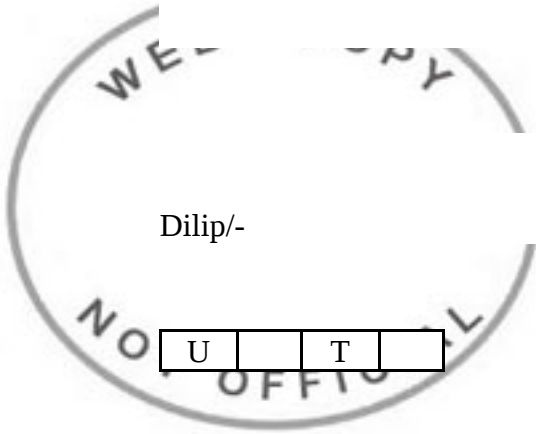
informant alleged that the petitioner and others killed his grand-son.

Learned counsel for the petitioner submits that the informant is not an eye witness of the occurrence. He has not seen the petitioner and others bringing Rahul Ranjan Singh and Pooja Kumari from Delhi. From the written statement of Pooja Kumari recorded under Section 164 Cr.P.C., it would appear that she was kidnapped by Rahul Ranjan Singh but she was left at Mahmup Link and from there she came to her house. She did not disclose that her father brought her along with Rahul Ranjan Singh.

From the perusal of the entire case diary, it appears that none of the witnesses disclosed this fact that the petitioner brought Rahul Ranjan Singh from Delhi and since then Rahul Ranjan Singh is missing. Even the learned counsel for the informant could not point out any material from the entire case diary and, therefore, it appears that all allegations are based on suspicion that the petitioner might have kidnapped the grand-son of the informant. The petitioner is in jail since 01.07.2014.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri P.K. Chaudhary, Judicial

Magistrate 1st Class, Chapra in Masrakh P.S. Case No. 137 of
2013.



(Prabhat Kumar Jha, J)