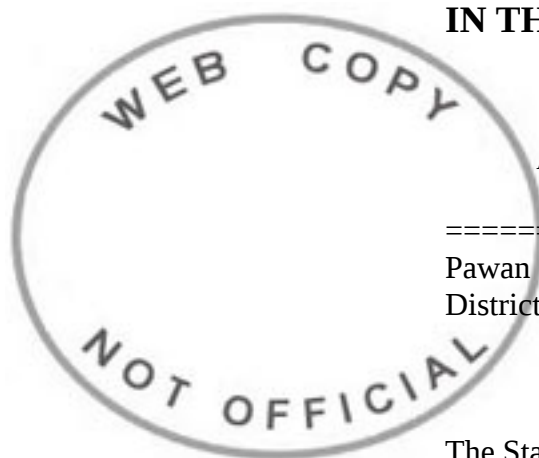




IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40623 of 2015

Arising out of PS.Case No. -55 Year- 2015 Thana -HALSI District- LAKHISARAI

=====
Pawan Mandal, S/o - Gurudayal Mandal, R/o Village - Janakpur, P.S. and
District - Lakhisarai.

.... Petitioner
Versus
The State of Bihar.

.... Opposite Party
=====

with
Criminal Miscellaneous No.49752 of 2015

Arising out of PS.Case No. -55 Year- 2015 Thana -HALSI District- LAKHISARAI

=====
Ajay Ram, Son of Parikshit Ram, R/o Village Kaiyar, P.S. Sikandra,
District Jamui.

.... Petitioner
Versus
The State of Bihar

.... Opposite Party
=====

with
Criminal Miscellaneous No.44292 of 2015

Arising out of PS.Case No. -55 Year- 2015 Thana -HALSI District- LAKHISARAI

=====
Dinesh Ram, son of Late Bindeshwari Ram, resident of village- Khaira, P.s.
Khaira, District Jamui.

.... Petitioner
Versus
The State of Bihar

.... Opposite Party
=====

Appearance :
(In Cr.Misc. No.40623 of 2015)
For the Petitioner : Mr. Jainendra Kumar, Advocate.
For the Opposite Party : Mr. Binod Kumar (App)
(In Cr.Misc. No.49752 of 2015)
For the Petitioner : Mr. Sanjeev Kumar, Advocate.
For the Opposite Party : Mr. R.S.Choudhary (App)

(In Cr.Misc. No.44292 of 2015)

For the Petitioner : Mr. Tarun Prasad Mandal, Advocate.

For the Opposite Party : Mr. Binod Kumar -II(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-11-2015

Heard learned counsels for the petitioners and learned
counsel for the State

The petitioner Pawan Mandal is languishing in custody since 16.04.2015, petitioner Ajay Ram is languishing in custody since 17.06.2015 and petitioner Dinesh Ram is languishing in custody since 16.04.2015 in connection with Halsi P.S. Case No. 55 of 2015 for the offences instituted under Section 364/34 of the IPC.

The prosecution story, in brief, is that Rajeev Kumar is the son of the informant. Rajiv Kumar was posted at Canara Bank, Chewara, as Manager of the Bank. The son of the informant Rajeev Kumar used to go to the Bank from his house, Lakhisarai. It is also alleged that on 13.04.2015 Rajeev Kumar alongwith Bank employee Sumit Suman was coming to his house on a motorcycle bearing Registration No. BR-21C-1304. Rajeev Kumar did not reach at his house. It is also alleged that the informant called Rajeev Kumar and Sumit Suman on their Cell set



but switch was off of their Cell set. Subsequently, the informant came to know that one motorcycle is lying at Ramgarh Chowk near the Petrol Pump. The police seized aforesaid motorcycle. The informant arrived there and identified the motorcycle of his son Rajeev Kumar. The informant claimed that the unknown miscreants kidnapped Rajeev Kumar and Sumit Suman.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 16.04.2015, 17.06.2015 and 16.04.2015 respectively and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioners. The name of the petitioners has come on the basis of a confessional statement of co-accused. The victim boy under Section 164 Cr.P.C. has not named these petitioners. There is no circumstantial evidence to suggest the implication of the petitioners in the present case. It is further submitted that the petitioners may be released after completion of nine months from the date of custody.

On behalf of the State it has been submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is

directed that the petitioners above named be released on bail after completion of nine months from the date of custody on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Lakhisarai, in connection with Halsi P.S. Case No. 55 of 2015.

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(Sudhir Singh, J)