

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38919 of 2015

Arising Out of PS.Case No. -165 Year- 2015 Thana -ALOULI District- KHAGARIA

- =====
1. Lalan Tiwari @ Shyam Das @ Lalan Ram S/o Late Sona Rana
 2. Vijay Rana S/o Late Gajendra Rana Resident of Village Bhatolia, P.S. Minapur, District Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.40067 of 2015

Arising Out of PS.Case No. -165 Year- 2015 Thana -ALOULI District- KHAGARIA

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Shyama Kant Rana Son of Late Veer Bhajan Rana Resident of village - Bhatolia, P.S. Minapur, District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.38919 of 2015)

For the Petitioners : Mr. Binod Kumar

For the Opposite Party : Mr. J.N.Thakur(App)

(In Cr.Misc. No.40067 of 2015)

For the Petitioner : Mr. Awadhesh Kumar Singh

For the Opposite Party : Mr. Aditya Narayan Singh-I(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-10-2015 Heard learned counsel for the petitioners and the State.

 The petitioners are languishing in jail since 13.07.2015

 and 11.07.2015 respectively in a case instituted under Sections

 363 and 364 of the Indian Penal Code.

 As per allegation, it is alleged that the informant's son

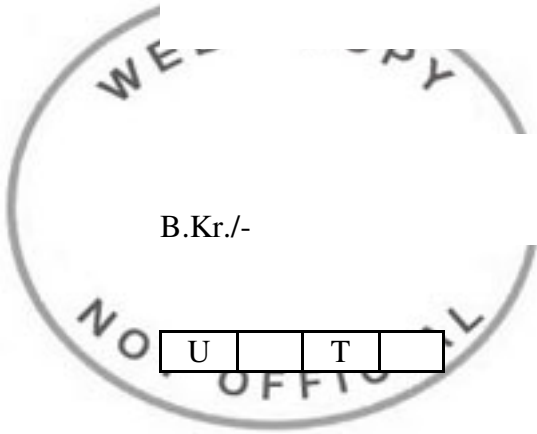
who is aged about ten years was kidnapped by the accused persons.

It has been submitted on behalf of the petitioners that the petitioners Lallan Tiwari @ Shyam Das @ Lalan Ram and Vijay Rana are in custody since 13.07.2015 and petitioner Shyama Kant Rana is in custody since 11.07.2015. Petitioners have got no criminal antecedent. There is no allegation of tampering with the evidence against the petitioners. Petitioners are said to be *Sadhus* who had come to village and the boy had not been abducted by them rather the boy on his own had left with them later on, the said *Sadhus*, i.e., petitioners had left him on the station. There is no allegation of misbehaviour with the victim boy which is evident from the statement under Section 164 Cr.P.C. of victim boy. It is further submitted that the petitioners may be released after completion of six months in custody from 11.07.2015.

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, it is directed that the petitioners may be released after completion of six months in custody from 11.07.2015, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the

satisfaction of learned CJM, Khagaria in connection with Alauli
P.S.Case No.165 of 2015.



B.Kr./-

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(Sudhir Singh, J)