

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38138 of 2015

Arising Out of PS.Case No. -21 Year- 2015 Thana -SRI NAGAR District- MADHEPURA

1. Manoj Kumar Mehta @ Manoj Mehta son of Lot Narayan Mehta @ Lut Narayan Mehta resident of village- Laxmipur Bhagwati, P.S.- Sri Nagar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.45186 of 2015

Arising Out of PS.Case No. -21 Year- 2015 Thana -SRI NAGAR District- MADHEPURA

1. Santosh Mehta, Son of Late Narayan Mehta, Resident of Village- Laxmipur Bhagwati, P.S- Srinagar, District- Madhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.38138 of 2015)

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

(In Cr.Misc. No.45186 of 2015)

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Sanjay Kr. Sharma (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 10-12-2015 Both the above stated petitions arise out of Srinagar P.S.Case No. 21 of 2015 registered under section 364, 120 B/34 of the Indian Penal Code. Accordingly, both the above stated petitions have been heard together and are being disposed of by this common order.

Heard the parties.



Petitioner in Cr. Misc. No.38138 of 2015 is named in the first information report whereas name of petitioner in Cr. Misc. No.45186 of 2015 came in confessional statement of petitioner in Cr. Msc. No. 38138 of 2015. During course of investigation, the informant claimed that one Bachni Devi had seen the petitioner in Cr. Misc. No.38138 of 2015 and four others forcibly taking away the victim on a car on 14.4.2015 but she gave written report to officer –in-charge of Madhepura police station on 16.04.2015 i.e. after two days of the alleged occurrence. It appears that petitioner in Cr. Misc. No.38138 of 2015 was arrested and confessed his guilt and after that the dead body of the informant's husband was recovered from a river. Although it is stated that petitioner in Cr. Misc. No.38138 of 2015 disclosed that dead body of the deceased had been thrown in river but the aforesaid petitioner did not lead the police for tracing out the dead body. Similarly, in course of investigation, witness Bachni Devi and one another claimed to have seen the petitioner in Cr. Misc. No.38138 of 2015 taking away the deceased but at best, it is a case of last seen.

Accordingly, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two

sureties of the like amount each to the satisfaction of Chief
Judicial Magistrate, Madhepura in connection with Srinagar
P.S.case No. 21 of 2015.

(Hemant Kumar Srivastava, J)

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