

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40460 of 2014

Arising Out of PS. Case No. -130 Year- 2009 Thana -DUMRA District- SITAMARHI

=====

1. Barelal Rai @ Kishan Deo Rai S/o Raj Deo Rai
2. Chotelal Rai S/o Raj Deo Rai
3. Manoj Rai S/o Barelal Rai @ Kishan Deo Rai
All R/o Village - Cira, P.S. - Dumra, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Dinesh Jha, Advocate.

For the Opposite Party/s : Mr. Ajit Kumar, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-03-2015

Heard both sides.

The petitioners, namely, Barelal Rai @ Kishan Deo Rai, Chotelal Rai and Manoj Rai, apprehend their arrest in a case under Sections 363, 364, 365 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioners submits that the informant, for kidnapping of his younger brother Vijay Kumar Sah on 21.08.2006, filed a complaint case on 06.02.2009, bearing Complaint Case No. 181/2009, on the basis of which, the present F.I.R. was lodged. The police, after investigation, submitted final form finding the case true against Nagendra Rai and Sanjay Rai and, thereafter, submitted a supplementary chargesheet finding the case false against the petitioners on 30.11.2011. The victim

himself was examined on 27.06.2011. Thereafter, the learned Chief Judicial Magistrate also found sufficient material and took cognizance against the petitioners vide order dated 02.09.2013. The other accused persons, who were put on trial, have already been acquitted vide judgment and order passed in Sessions Trial No. 528/2009 / 135/2009.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in Dumra P.S. Case No. 130/2009, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

(Prabhat Kumar Jha, J)

U		T	
---	--	---	--