

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12539 of 2015

Arising Out of PS.Case No. -186 Year- 2014 Thana -BODHGAYA District- GAYA

1. Sanjay Manjhi S/o Tulsi Manjhi Resident of Village Larpur (Tola Durgapur), Police Station Bodh Gaya, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 24-06-2015 Heard learned counsel for the petitioner and learned A.P.P.

The petitioner apprehends his arrest in connection with Bodh Gaya P.S. Case No. 186 of 2014, G.R. No. 3038 of 2014, registered for the offence under Section 363(A) of the Indian Penal Code, which is pending in the court of learned Chief Judicial Magistrate, Gaya.

The prosecution case is that the informant Binay Singh recorded his fardbeyan on 02.07.2014 at 11.30 hours before A.S.I., Bodh Gaya that four years back in 2010 his co-villager Tulsi Manjhi told him that his three sons Bighan Manjhi, Kamlesh Manjhi @ Bachana @ Gujrawa Manjhi and Sanjay Manjhi were working in Delhi in a Factory and asked him to send his son Bablu, also, along with them to work in Delhi. One day his son, aged

about 14 years went from his house and did not return. The informant alleged that the said accused along with other accused persons was instrumental in kidnapping his son Bablu Kumar. At para-5 of the case diary, the informant has himself stated that his son is in Delhi and he has talked to him on Telephone. At para-7 of the case diary, the brother of the informant has also stated that the informant has also apprised him of the said fact that Bablu Kumar was working in Delhi in a cloth shop.

Under said circumstances, the involvement of the petitioner in the commission of the crime is not made out. Let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No. 186 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Nilu Agrawal, J)

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