

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23144 of 2016

Arising Out of PS.Case No. -45 Year- 2014 Thana -RAIL District- LAKHISARAI

Sonu Barnwal @ Bikash Kumar Bharti S/o late Awadh Kishore Barnwal
Resident of Village- Narganjo, Police station - Jhajha, District Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate.

For the Opposite Party/s : Mr. Rajeev Nayan, App

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
25.01.2016 in connection with G.R.P. Jhajha P.S. Case No. 45 of
2014 for the offences instituted under Section 364 of the Indian
Penal Code.

The prosecution story, in brief, is that the informant
received a mobile message from the Madhupur Railway Station
Master that your husband is traceless from Nayarjo Station, when
he was on duty as a guard in train No. 63569 Up. after the enquiry
the informant came to know that the occurrence is true. It is
further alleged that she had suspicion that her husband was
kidnapped by the unknown when he was on duty.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.01.2016. Charge-sheet has been submitted in the present case. There is no allegation of tempering of witnesses against the petitioner. The name of the petitioner has come after 10 months of the alleged occurrence. The victim in his statement before the police has not named the petitioner. There is no direct or indirect evidence against the petitioner.

On behalf of the State it has been submitted that petitioner is not named in the FIR.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 Railway Judicial Magistrate, Kiul (Lakhisarai) in connection with G.R.P. Jhajha P.S. Case No. 45 of 2014.

(Sudhir Singh, J)

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