

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12590 of 2016

Arising Out of PS.Case No. -651 Year- 2015 Thana -SIWAN CITY District- SIWAN

=====

1. Brajesh Yadav, S/o Bijay Yadav, resident of Village- Kanhauli, P.S.- Darauli, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey

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

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 28-03-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Initially, the case was lodged under Section 363 of the Indian Penal Code but subsequently, it was converted into Section 364A of the Indian Penal Code.

The first information report was lodged against unknown in respect of so-called kidnapping of one Murlidhar Krishna but in course of investigation, it came to light that aforesaid Murlidhar Krishna along with petitioner and some others hatched up a conspiracy to cheat his father and as a matter of fact, the aforesaid Murlidhar Krishna was never kidnapped by any person.

The contention on behalf of the petitioner is that

name of petitioner came in confessional statement and even if the conclusion arrived at by the investigating officer after investigation assumed to be true, then also, at best, it is a case of Section 420 of the Indian Penal Code.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 651 of 2015.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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