

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17073 of 2016

Arising Out of PS.Case No. -92 Year- 2015 Thana -MUNGER MUFFASIL District- MUNGER

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1.Kiro Yadav @ Biro Yadav s/o late Lakhan Yadav, resident of Heru
Diyara, P.S. Kasim Bazar, District- Munger.

2. Prabhat Mandal son of Shrawan Mandal, resident of Kali Asthan,Dakra,
P.S. Safiyabad, O.P. District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha

For the Opposite Party/s : Mr. Bharat Bhushan(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-05-2016

Heard learned counsel for the petitioners and the State.

The petitioners are accused in a case registered under
Sections 147, 148, 149, 341, 342, 363, 364 and 365 of the Indian
Penal Code. Later on Section 302 Indian Penal Code has been
added.

It is alleged by the informant, Srilal Yadav, that his son
had gone to watch his field situated at Herudiara besides the
Ganga river. Thereafter his cousin informed him that while he was
cutting the grass, all the accused persons came there and forcibly
abducted his son Gautam Kumar was Farda diara. He could not
speak due to fear .Thereafter search was made for his son but still
he has got no information about his son.

It is submitted on behalf of the petitioners that

petitioner no.1 is in custody since 13.07.2015 and petitioner no.2 is in custody since 18.05.2015. Charge sheet has been submitted in this case. The petitioners have falsely been implicated in the present case. From perusal of para 12 of the supplementary case diary it is evident that only eye witness, Yogendra Yadav, has refused to make statement under Section 164 Cr.P.C. It is further submitted that the deceased himself was a veteran criminal, which is evident from para 39 of the case diary. It is further submitted that other co-accused have been granted regular bail vide Cr. Misc. Nos. 5776 of 2016, 873 of 2016, 58305 of 2015 and 873 of 2016.

On behalf of the State, it is submitted that the petitioners are named in the FIR.

Having considered the facts and circumstances of the case, let, above named petitioners, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge Vth, Munger, in connection with Sessions Case No. 294 of 2015 arising out of Munger Muffasil No. P.S.Case No. 92 of 2015.

(Sudhir Singh, J)

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