

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12550 of 2016

Arising Out of PS.Case No. -84 Year- 2010 Thana -JHAJHA District- JAMUI

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1. Kishun Yadav Son of Late Mohi Yadav
2. Shankar Yadav S/o Kishun Yadav both resident of village - Khairan
P.S. Jhajha, Distt. - Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Umesha Nand Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-03-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 364/34 of the Indian Penal Code.

The prosecution case is that the informant's son namely Surendra Yadav along with other boy Sakaldeo Yadav went to earn livelihood in the company of petitioner no. 2 Shankar Yadav, who is a contractor in Bangalore. Sakaldeo Yadav returned after sometime but the son of the informant did not return. It is alleged that subsequently demand of Rs.1,00000/- was made to ensure the return of the son of the informant.

It is submitted by the learned counsel for the petitioners



that co accused Mansarba Devi and Sakuntala Devi have been granted anticipatory bail vide Cr. Misc. No. 47381 of 2015 by a co-ordinate bench of this Court on the ground that during investigation it transpired that both the son of the informant and other boy were returning from Bangalore, but during ticket checking at Patna railway station the informant's son fled away and since then he is traceless. It is further submitted that the petitioners have been roped in the present case only on suspicion. There is nothing on record that the son of the informant went with the petitioners. Petitioner no. 1 has no criminal antecedent.

Considering the thrust of accusation against petitioner no. 2 Shankar Yadav, let the learned court below consider the prayer for regular bail of the petitioner no. 2 in case he surrenders within six weeks from today in connection with Jhajha P.S. Case No. 84 of 2010 pending in the court of learned SDJM, Jamui.

So far as petitioner no. 1 Kishun Yadav is concerned, this court was reluctant to interfere in the matter but since similarly situated co accused have been granted anticipatory bail, let the above named petitioner no. 1 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the

like amount each to the satisfaction of learned SDJM, Jamui in connection with the aforementioned case subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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