

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30171 of 2016

Arising Out of PS.Case No. -219 Year- 2015 Thana -MURLIGANJ District- MADHEPURA

Bablu Kumar S/o Lakshman Yadav Resident of Village- Naulakhi, P.S. Jankinagar, District Purnea,.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.32759 of 2016

Arising Out of PS.Case No. -219 Year- 2015 Thana -MURLIGANJ District- MADHEPURA

Randhir Kumar Yadav @ Randhir Kumar S/o Shankar Yadav, Resident of Village - Naulakhi, P.S Janki Nagar, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.30171 of 2016)

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

(In Cr.Misc. No.32759 of 2016)

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 04-10-2016 Since both the cases arise out of Murliganj P.S. Case No.219 of 2015, they have been heard together and are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered under Sections 406 and 365 of the Indian Penal Code.

Petitioners are not named in the first information report but in course of investigation, the name of the petitioners came in this case in statement of one Hare Ram Sah, who stated that similar type of occurrence had taken place with him and after that his relative Ramesh Yadav had disclosed to him that petitioners are habitual to commit this type of occurrence. The relative of the aforesaid Hare Ram Sah is co-villager of the petitioners. Moreover, the call detail of petitioners was taken out and it was found that prior to the occurrence, the mobile phone of the petitioner in Cr. Misc. No.32759 of 2016 was used to make call on the mobile phone of deceased of the present case.

Submission on behalf of the petitioners is that the informant had not disclosed the mobile number in his written report but for the first time, the mobile number was disclosed by the informant in his further statement which is evident from perusal of paragraph-2 of the case diary. It is further submitted that, as a matter of fact, the aforesaid mobile number was inserted in the further statement of the informant later on which is evident from perusal of even by naked eye.

Moreover, the investigation against the petitioners has

already been completed and except the call detail, there appears to be nothing against them.

Accordingly, petitioners above named are directed to 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 C.J.M., Madhepura in connection with Murliganj P.S. Case No.219 of 2015.

(Hemant Kumar Srivastava, J)

N.H./-

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