

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23492 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -DARIYAPUR District- SARAN

- =====
1. Sharda Devi Wife of Shagrughan Rai.
 2. Satrugghan Rai, son of Bhajan Rai, Both are Resident of Village- Purnadiha, P.S. Derni, Distt- Saran, Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 02-08-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 30.07.2015 and 04.06.2015 respectively in connection with Dariyapur P.S. Case No. 125 of 2015 for the offences instituted under Section 365 of the Indian Penal Code and added Section 302/120(B)/34 of the Indian penal Code.

The prosecution story, in brief, is that on 27.05.2015 four Barats had come in the village of informant and his son Ritik Kumar aged about 8 had gone to watch them at about 10.30 P.M. but did not return home and became traceless and hence informant suspects that Ritik might have been kidnapped.

It has been submitted on behalf of the petitioners that

the petitioners are in custody since 30.07.2015 and 04.06.2015 respectively. Charge-sheet has been submitted in the present case. They have got no criminal antecedent. There is no allegation of tempering of witnesses against the petitioners. Petitioners are not named in the FIR. Informant subsequently in his reinstatement has raised suspicion against the petitioners. Except for the suspicion and confession of Petitioner no. 2 before the police there is no other substantive evidence regarding the involvement of the petitioners in the present case. The other co-accused have been granted bail vide Cr. Misc. No. 51322 of 2015.

On behalf of the State it has been submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 the learned Additional Sessions Judge X, Saran at Chapra in connection with Dariyapur P.S. Case No. 125 of 2015 corresponding to S.Tr. No. 60 of 2016.

(Sudhir Singh, J)

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