

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22676 of 2016

Arising Out of PS.Case No. -859 Year- 2014 Thana -BIHTA District- PATNA

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Karan Veer Singh Yadav @ Lallu Mukhiya, Son of Ram Bilash Yadav,
Resident of Village Gulab Bagh, Police Station, Barh, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Dr.Mayanand Jha(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 20-05-2016 Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioner seeks bail in a case, initially, registered for
the offences punishable under Sections 363, 365/34 of the Indian
Penal Code and later on, Section 364/34 of the Indian Penal Code
was also added.

The first information report was registered on
14.11.2014 against two named and sixteen unknown persons.
Petitioner is not named in the first information report.
Subsequently, the statement of victim was recorded under Section
164 of the Cr.P.C. on 04.07.2015 i.e. near about after eight
months. The victim has nowhere stated about the participation of
the petitioner in his kidnapping rather only stated to this extent in

respect of the petitioner that while he was being taken away by other accused in a vehicle, petitioner and three others came in a vehicle and asked the other accused to kill him and after that petitioner and his rest associates left the place.

Learned counsel appearing for the petitioner submits that aforesaid statement of victim has been recorded near about after eight months and as a matter of fact, petitioner has been implicated in this case. It is further submitted that even if the statement of victim assumed to be true, then also, no specific overt-act has been attributed against the petitioner. It is further submitted that earlier petitioner had filed A.B.P. No. 5395 of 2015 in the court of Sessions Judge, Patna who vide order dated 29.09.2015 directed the investigating officer not to take any coercive step against the petitioner till further order but unfortunately petitioner was arrested in connection with another case and subsequently he withdrew the above stated anticipatory bail petition.

On the other hand, learned Additional Public Prosecutor appearing for the State submits that petitioner had also participated in conspiracy of kidnapping of the victim and moreover, petitioner carries criminal antecedent of several cases.

Petitioner is in jail custody since 27.04.2016 and

except the above stated materials, there appears to be nothing against him.

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 Additional Chief Judicial Magistrate, Danapur, Patna in connection with Bihta P.S. Case No. 859 of 2014.

(Hemant Kumar Srivastava, J)

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