

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18140 of 2016

Arising Out of PS.Case No. -335 Year- 2015 Thana -PATRAKARNAGAR District- PATNA

Manoj Choudhary @ Kamal Gaurav, (but the police has wrongly remanded the petitioner in the name of Lambu) son of Ram Brish Prasad, resident of village-Gopalbad, P.S.-Sarmera, District-Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.18969 of 2016

Arising Out of PS.Case No. -335 Year- 2015 Thana -PATRAKARNAGAR District- PATNA

Devendra Kumar @ Munna So Sri Ramchandra Prasad Resident of Village- Thalposh, P.O.- Bhattha, P.S. Pakribarama, District- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.18140 of 2016)

For the Petitioner : Mr. Nilesh Kumar, Advocate

For the Opposite Party : Mr. Kr. Ranjit Ranjan, APP

(In Cr.Misc. No.18969 of 2016)

For the Petitioner : Mr. Dharmendra Kumar, Advocate

For the Opposite Party : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-05-2016 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners are in custody since 07.01.2016 and 19.12.2015 respectively in connection with **Patrakar Nagar P.S.Case No.335 of 2015** registered for the offence under Sections 364 of the IPC.



As per the prosecution case, it is alleged by the informant that his son, namely, Kaushal Kishore Singh was posted as Diesel Operator in Deogen Set and on 24.10.2015 his son has proceeded for Patna by train and on 26.10.2015 he has stayed at the house of Ranjeet Singh and till 28.10.2015 he stayed there and on 29.10.2015 he left the aforesaid place as informed by his son over cell phone and he made attempt to have the talk with him but the cell phone was found closed and thereafter one unknown person gave reply that his son is in his custody.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 07.01.2016 and 19.12.2015 respectively. Chargesheet has been submitted in the case. Petitioners have got no criminal antecedent. The name of the petitioners has come on the basis of the confessional statement of a co-accused. None of the mobile numbers as mentioned in the FIR belongs to the petitioners. There is no circumstantial evidence to suggest the implication of the petitioners in the present case. Except for the confession of the co-accused, no incriminating article has been recovered from the possession of the petitioners.

On behalf of the State, it has been submitted that the name of the petitioners has come on the basis of the confessional statement of a co-accused made in para-93 of the case diary.

Considering the aforesaid facts and circumstances, let the 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 **Judicial Magistrate-Ist Class, Patna** in connection with **Patrakar Nagar P.S.Case No.335 of 2015.**

(Sudhir Singh, J)

B.Kr./-

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