

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27662 of 2017

Arising Out of PS.Case No. -334 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Hari Bhajan Sah, son of Nathuni Sah, resident of Village- Mujan, P.S.-
Mohania, District- Kaimur (Bhabhua).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Nityanand

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-07-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Mohania
P.S. Case No. 334 of 2016, registered under Section 364 of the Indian
Penal Code.

The accusation is that on 02.07.2016 Buchi Yadav, son
of the informant, was plying passenger vehicle, when he reached
ahead one kilometer to Mohania, then some persons came on Bolero
vehicle and forcibly took her son in the Bolero and moved towards
Mohaniya. The passenger of the vehicle disclosed about kidnapping
of her son Buchi Yadav. The informant raised suspicion about
kidnapping of her son Buchi Yadav by this petitioner with the help of
his brother-in-law and two others because, accused persons
threatened the informant for dire consequences 10 days prior to the
occurrence.



Learned counsel for the petitioner submits that it would appear from the F.I.R. that informant disclosed the name of the petitioner and his other relative as accused having hand in the kidnapping of her son Buchi Yadav mere on suspicion due to grudge and enmity, while the victim was found on the date of occurrence in the evening in unconscious state inside the road at Buxar, but after five months of the occurrence his statement under Section 164 Cr.P.C. was recorded on 18.12.2016 in which he supported the prosecution case about his kidnapping by the petitioner and his relative. Further submission is that petitioner has no criminal antecedent and he is in custody since 11.04.2017.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 334 of 2016.

(Rajendra Kumar Mishra, J)

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