

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36519 of 2017

Arising Out of PS.Case No. -427 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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1. Dibyanshu Jha Son of Kapileshwar Jha, R/o Village- Nadiya Tola, P.S.-
Kahalgaon, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 31-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
02.02.2017 in connection with Kahalgaon P.S. Case No. 427/16
for offences punishable under Sections 364-A/34 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that his son has been kidnapped by unknown persons and a call for
demand of ransom was made.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report and has been falsely implicated in the aforesaid case. He



submits that it is only on the confessional statement of one Soni Jha @ Sonu Jha @ Sumeet Kumar Jha before the police, which has no evidentiary value in the eye of law, that his name surfaced, who has since been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 24087 of 2017 on 17.05.2017 and other co-accused has also been allowed bail in Cr. Misc. No. 21193 of 2017 on 09.05.2017. He submits that it is only on the basis of suspicion that the petitioner has been made accused and that no T.I. parade has been done so far.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and as many as three cases are pending against him.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge, Bhagalpur, in connection with Sessions Trial No. 530/17, arising out of Kahalgaon P.S. Case No. 427/16, subject to the condition that both the bailors would be close relative of the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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