

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53959 of 2016

Arising Out of PS.Case No. -210 Year- 2016 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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1. Md Afzal Son of Md. Peer Miyan
2. Md. Hasnain Son of Aas Mohammad@Md. Jhanjhu Both are Resident of
Mohala- Maripur Baksi, Colony, P.S- Kazi Mohammadpur, District-
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahani, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-01-2017 This is an application for grant of bail for offences
punishable under Sections 364 and 511 of the Indian Penal Code.

Heard learned counsel for the petitioners.

It has been submitted on behalf of the petitioners that
although petitioners are named in the F.I.R. but the victim boy was
not recovered from them. The statement of the victim boy was
recorded in para-4 of the case diary where he has stated that he
could not recognize any person. Later on, in his statement under
Section 164 of the Cr. P.C. the victim boy has stated that the
accused persons were talking to each other by taking their names
and thus the victim boy knew the names of the petitioners and
disclosed their names. It is further submitted that in para-79 of the



case diary an independent witness has been examined and he has stated that due to enmity between the parties petitioners were involved in this case. Petitioners are in custody since 15.9.2016.

Heard learned A.P.P. also.

Having heard both the parties and in view of the fact that petitioners are in custody for about four months, let above named petitioners be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate cum Sub Judge, Ist, Muzaffarpur, in connection with Kazi Mohammadpur P.S. Case no. 210 of 2016.

(Vinod Kumar Sinha, J)

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