

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55338 of 2016

Arising Out of PS.Case No. -665 Year- 2016 Thana -KATIHAR District- KATIHAR

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1. Mandeep Kumar Rai S/O. Gauri Shankar Rai Resident of Village-
Laliyahi, P.S.- Katihar (Sahayak) Distt.- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 28-02-2017 Heard both sides.

The petitioner seeks bail in Katihar Town P.S. Case No. 665/2016, registered for the offences punishable under Sections 363, 366, 120(B) and 34 of the Indian Penal Code.

The informant alleged that new born son of his elder brother was kidnapped from the hospital. The security guard disclosed that a man and woman had come. On search, Amit Kumar Sah and Baby Devi were identified as kidnapper, who had come to the Ward and took away the child. Baby Devi confessed her guilt and disclosed the name of the petitioner and alleged that it was the petitioner who requested her to bring a child for selling and on such, she committed kidnap of new born child from the hospital, which was kept in the house of her sister, from where the



boy was recovered.

It is submitted that nothing has been recovered from the possession of the petitioner and name of the petitioner figured in the case in the confession of Baby Devi, but he was nowhere in the process of theft of the child. The petitioner is also said to have confessed his guilt but before that the kidnapped child was recovered from the house of Putul Devi, sister of Baby Devi. The petitioner is in jail since 16.10.2016.

Considering the facts aforesaid and the fact that name of the petitioner figured in the case in confessional statement of co-accused Baby Devi, who committed theft of new born child, the petitioner above named is directed to 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 the learned Chief Judicial Magistrate, Katihar in connection with Katihar Town P.S. Case No. 665/2016.

(Prabhat Kumar Jha, J.)

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