

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47356 of 2017

Arising Out of PS.Case No. -136 Year- 2016 Thana -JANKINAGAR District- PURNIA

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Laxman Yadav Son of Late Kuldeo Yadav Resident of village- Jankinagar
Binovagram, P.S.- Jankinagar, District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 24-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Jankinagar
P.S. Case No. 136 of 2016 for offences punishable under
Sections 341, 323, 364A and 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was going along with his brother Pankaj Kumar
Ravi on his motorcycle, three miscreants and three unknown
persons kidnapped his brother.

It has been submitted by the learned counsel for the



petitioner that he is innocent, not named in the F.I.R. and bears no criminal history. He submits that his name surfaced only on the confessional statement of co-accused Mantu Yadav before the police which has no evidentiary value in the eye of law. He submits that the victim in his statement under Section 164 Cr.P.C. has also not named the petitioner, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He is languishing in judicial custody since 27.07.2017 i.e. since nearly four months.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and on perusal of the case diary specially the confessional statement of co-accused Mantu Yadav except the presence of the petitioner, no overt act has been alleged against the petitioner, 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 Judicial Magistrate-1st Class, Purnea in connection with Jankinagar P.S. Case No.136 of 2016, subject to the condition that both bailors would be close relative of the



petitioner having sufficient immovable property, who will file
an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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