

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48172 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -NIRMALI District- SUPAUL

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1. Ram Sagar Yadav, S/o Late Nirvay Yadav, R/o Village- Dhangarhi,
Ward No.13, P.S.- Visnupur, Tathiya, District- Sirha (Nepal).
2. Alauddin @ Salman S/o Indal, R/o Govindpur, P.S.- Lahan, District-
Sirha, Nepal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Shah Nawaz Ali

For the Opposite Party/s : Mr. Sri Ashraf Ansari

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 28-11-2017 Heard the counsels for the parties.

The petitioners seek bail in connection with Nirmali
P.S. Case No. 28/2017 dated 12.04.2017 instituted for the offences
under Sections 364(A) and 120(B) of the Indian Penal.

The petitioners are not named in the F.I.R. The
informant, who is the brother of the victim, has alleged that the
victim was kidnapped while coming back home. Some of the
named persons in the F.I.R. had seen the act of kidnapping.

The victim gave his statement under Section 164 of the
Cr.P.C. in which the petitioners have not been named. However,
during course of investigation, materials have been collected
which indicate that the petitioners had tried to mediate between



the kidnappers and the informant for paying the ransom.
Admittedly, no money was paid.

The petitioners do not have any criminal antecedent and they are in custody since 13.04.2017.

Taking into account the fact that the petitioners are not named in the statement made by the victim under Section 164 of the Cr.P.C. and their period of custody (13.04.2017), this Court is inclined to grant bail to the petitioners.

The petitioners above named are directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Supaul in connection with Nirmali P.S. Case No. 28/2017.

(Ashutosh Kumar, J.)

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