

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31290 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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1. Muneshwar Rai,
2. Sarahu Rai, Both S/o Late Dina Rai, R/o Village- Nawadih, P.S.-
Chainpur, Distt- Kaimur (Bhabhua).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioners and the
State.

Petitioners are apprehending arrest in connection with
Chainpur P.S. Case No. 23 of 2017 for the offence under sections
364, 201/34 of the Indian Penal Code.

From the FIR, it appears that the informant has
suspected involvement of the petitioners in the kidnapping of his
son. The basis of such suspicion as per FIR is hearsay that one
Narayan Rai heard the petitioner Muneshwar Rai was talking to a
man in the 'Hata Bazar' that he has kidnapped the son of the
petitioner because he was involved in teasing of the female of his
family.

In paragraph-7 of the petition there is specific
statement that the basis of suspicion against the petitioners is that



Narayan Rai overheard discussion between the petitioner no.1 and one unknown but till date the statement of Narayan Rai was not recorded. In paragraph-3 of the petition there is statement that the petitioners have clean antecedent.

Having regard to the facts that that earlier the 'Sanha' was registered at the instance of the informant about missing of his son and after a month, he lodged FIR apprehending involvement of the petitioners in kidnapping of his son on the basis of alleged version of Narayan Rai who overheard the petitioner in the Hata Bazar.

Having regard to the facts and circumstances as mentioned above and the fact that the petitioners have stated in paragraph-3 that petitioners have clean antecedent, let the petitioners, named above, be released on bail in the event of surrender or arrest within a period of four weeks before the court below from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Kaimur at Bhabua, in connection with Chainpur P.S. Case No. 23 of 2017, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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