

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19893 of 2017

Arising Out of PS.Case No. -147 Year- 2016 Thana -ARWAL District- JEHANABAD

- =====
1. Sharvan Kumar, S/o Mandish Yadav, Resident of Village- Amhi, P.S. Hussainbad, District- Palamu (Jharkhand).
 2. Abhishek Kumar, S/o Bindesh Singh, Resident of Village- Mahuli, P.S.- Haspura, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 11-07-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 363, 365 and 120B of the Indian Penal Code.

According to FIR, Nishant Raj, the grandson of the informant was kidnapped by four FIR named accused persons. During investigation, one Sharvan Kumar telephonically informed to the informant that the victim is lying at the railway station near the ticket counter on that basis petitioner no. 1 Sharvan Kumar is accused in this case. There is no material against petitioner no. 2 Abhishekh Kumar.



However, during investigation a different story cropped up in the confessional statement of Prince Kumar regarding same dispute relating to non-refund of money paid for getting job and in that confession name of the petitioners surfaced.

Considering the fact that the petitioners are not named in the FIR and there is no substantial material against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal/successor Court in connection with Arwal Police Station Case No. 147 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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