

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50284 of 2016

Arising Out of PS.Case No. -142 Year- 2016 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Nanhki @ Umesh Kumar S/o Rajo Singh Resident of Village- Fatehpur
Bala, P.S. Musarigharari, Distt Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-01-2017 Heard learned counsel for the petitioner and learned
A. P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under sections 364(A) of the Indian Penal
Code.

It is alleged that the grand son of the informant had
gone to see movie with two other boys as named in the written
report. It is further alleged that other brother returned to the house
but Pawan Kumar did not return to the house.

Case diary has been received in this case. It has been
stated that the name of the petitioner has come in the confessional
statement of Devilal. The petitioner has also confessed his



guilt. The police has mentioned about various C.D.R. of the mobile phone which shows that the talk was done by the petitioner on the mobile phone.

Learned counsel for the petitioner submitted that during investigation, mother of the victim has stated that she had received a ransom call from mobile No. 7255871483. The police on verification of the aforesaid mobile has mentioned in the case diary that the aforesaid mobile is in the name of Ganesh and not in the name of the petitioner.

The learned Sessions Judge has mentioned in the impugned order that the ransom call was received by the mother of the victim on mobile no. 7255871483. The learned Sessions Judge has also mentioned in the impugned order that one mobile was seized from possession of the petitioner but it is mentioned in paragraph 81 of the case diary that the said mobile is of one Devilal Rai, who has already been granted bail as mentioned in the impugned order of the learned Sessions Judge itself.

In the facts and circumstances stated above and the fact that the petitioner is neither named in the first information report nor there is any allegation against him and the ransom call was also not made from the mobile of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail



bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Aditya Pandey, Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Desri P.S. Case No. 142 of 2016. Both the bailors shall be the close relation of the petitioner.

(Sanjay Priya, J)

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