

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9286 of 2017

Arising Out of PS.Case No. -37 Year- 2012 Thana -KAUAKOL District- NAWADA

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Sanjay Yadav @ Dhoka Pahalwan Son of Sri Suraj Yadav, Resident of
Village- Islam Nagar, P.S. Chandradeep, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Birendra Kumar, Advocate.

For the Opposite Party : Mr. Rajendra Singh Shastriji, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 17-03-2017 Heard both sides.

The petitioner seeks bail in Kawakole P.S. Case No. 37
of 2012, corresponding to Sessions Trial No. 553/16/732/16,
registered for the offences punishable under Sections 364(A) and
120(B) of the Indian Penal Code.

The informant named Nepali Yadav and others for
kidnapping of Lallu Khan @ Nasumuddin Khan and Sunil Kumar.
The kidnappers let out Mithilesh Kumar, the informant and Sunil
Kumar but kept Lallu Khan @ Nasumuddin Khan in captivity for
realization of extortion amount from the company.

Learned counsel for the petitioner submits that the
informant only named Nepali Yadav in the FIR, but name of the
petitioner figured in the case in the confessional statement of one



Surendra Yadav. The victim has also not named the petitioner in his earlier statement made under Section 164 Cr.P.C. or in his subsequent statement made under Section 164 Cr.P.C. Even Jamaluddin who was in captivity has not named the petitioner in his statement under Section 164 Cr.P.C. Co-accused Surendra Yadav @ Bhushan (in Cr. Misc. No. 38307 of 2012), Raj Kumar Yadav (in Cr. Misc. No. 24719 of 2012), Navin Yadav (in Cr. Misc. No. 25788 of 2012), Rajesh Prasad Yadav @ Gurju (in Cr. Misc. No. 2568 of 2013), Parmeshwar Yadav and Bhundeshwar Yadav (in Cr. Misc. No. 27136 of 2014) have already been enlarged on bail vide order as contained in Annexure-2 series.

Considering the facts aforesaid and the fact that the petitioner is in jail since 13.07.2016, the petitioner above named is directed to 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 the Additional Sessions Judge 5th, Nawada in Kawakole P.S. Case No. 37 of 2012, corresponding to Sessions Trial No. 553/16/732/16.

(Prabhat Kumar Jha, J.)

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