

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17957 of 2017

Arising Out of PS.Case No. -181 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

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1. Roshan Kumar, Son of Rajesh Singh.
 2. Gautam Kumar, Son of Ramashish Singh.
- Both are Resident of Village- Jaitpur, P.S.- Barahaiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary, Advocate.
For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.
For the Informant : Mr. Jainendra Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 02-05-2017 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in Barhaiya P.S. Case No. 181 of 2016 instituted for the offence under Sections 366(A)/34 of the Indian Penal Code.

It is alleged in the written report that 15 years old minor daughter of the informant had gone for Pooja with the wife of the informant. She has been kidnapped from the aforesaid place. The informant alleged that this petitioner along with other accused has kidnapped her daughter.

It has been submitted on behalf of the petitioner that one dead body was found lying between Rampur Dumra-



Barhaiya under the bridge and on basis of information, the RPF staff Shri Brajesh found the dead body of a lady aged about 40 years and accordingly SHO Hathidah registered U/D case No. 14 of 2016. The police prepared the inquest report and got the post mortem of the dead body done. The doctor found the age of the deceased to be 30 years and cause of death was falling down from unknown running train.

It is alleged that on 5.10.2016, the informant got information that one dead body was lying under Panch Mahal. The informant went there to verify and was informed by SHO Panch Mahal that the dead body of unknown lady aged about 30 years was found and photo of the dead body was taken and thereafter, post mortem was conducted. The informant on the basis of photograph has identified the dead body, as the dead body of her daughter. The mother of the victim has given her statement under Section 164 Cr. P.C. annexed as Annexure-3 wherein she has stated that about 1 ½ years prior to the occurrence, this petitioner and other accused had misbehaved with her. Besides this, there is no specific allegation against the petitioner.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the



petitioners above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st, Lakhisarai, in connection with Barhaiya P.S. Case No. 181 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioners.

S.Ali/-

(Sanjay Priya, J)

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