

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22259 of 2018

Arising Out of PS.Case No. -15 Year- 2016 Thana -MAKHDUMPUR District- JEHANABAD

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Niraj Kumar @ Niraj, son of Shailesh Prasad, resident of Village- Timalpur,
P.S.- Pali, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
19.03.2018 in connection with Makhdumpur P.S. Case No. 15
of 2016 for offences punishable under Sections 365/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his brother Sanjit Kumar went with the co-accused Sunil
Kumar but did not return. It is alleged that the petitioner, who is
the brother-in-law (Sala) of co-accused Sunil Kumar along with



other co-accused must have kidnapped his brother.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case only on suspicion. He submits that the statement of the victim under Section 164 Cr. P.C. is that he along with other co-accused had made the informant's brother senseless and who was forced to get married with the petitioner's sister. He submits that no such occurrence took place and it was the co-accused Sunil Kumar with whom the petitioner had gone.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and is involved in four cases some of similar nature.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned S.D.J.M., Jehanabad in connection with Makhdumpur P.S. Case No. 15 of 2016, subject to the condition that the petitioner will remain present for interrogation and investigation and will thoroughly cooperate in the investigation



of the case and would not tamper or threaten the prosecution witnesses.

(Nilu Agrawal, J)

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