

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11221 of 2018

Arising Out of PS.Case No. -821 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

- =====
1. Sonika Jyoti @ Soni Kumari Wife of Pramod Singh Resident of Village- Kuttubpur, P.S.- Mahua, Dist- Vaishali.
 2. Dipak Kumar Son of Mahesh Singh Resident of Village- Madhopur, P.S. Mahua, Distt. Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

- 3 30-03-2018 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners are languishing in judicial custody since 30.11.2017 in connection with Hajipur Town P.S. Case No. 821 of 2017 for offences punishable under Sections 365, 363 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while his wife had undergone a delivery and had given birth to a male child in Jeewan Rekha Nursing Home, some persons tried to take away the new born boy, which could be deciphered from the CCTV



footage.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and it is only on the basis of confessional statement of co-accused Uttam Kumar, who did not have good relations with the petitioner, and also the confessional statement of petitioner no. 2 Dipak Kumar that their names surfaced. He submits that co-accused Uttam Kumar has been identified in the CCTV footage and the allegation upon the petitioners are on mere suspicion. He further submits that the boy has been recovered immediately, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioners.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the period of custody, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Vaishali
at Hajipur, in connection with Hajipur Town P.S. Case
No. 821 of 2017.

(Nilu Agrawal, J)

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