

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34256 of 2018

Arising Out of PS.Case No. -131 Year- 2016 Thana -KAKO District- JEHANABAD

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1. Ravi Sao,
2. Pintoo Sao @ Pintu Sao Both Sons of Ganesh Sao,
3. Ganesh Sao S/o Late Bishnu Sao,
4. Raj Kumar Sao S/o Late Bishnu Sao, All Residents of Vill.- Nisharpura,
P.S.- Kako (Bhelawar), District- Jehanabad, at present Mohalla- Thakurbari,
P.O.+P.S.- District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 02-07-2018

Heard both sides.

The petitioners apprehend their arrest in Kako P.S. case No. 131/2016 under Section 364/34 of the Indian Penal Code.

The informant alleged that Ravi Saw and Pintu Saw called his son Anand Kumar @ Lal babu Yadav to come to his residence for settlement of the disputes. Lal babu Yadav and Subai Yadav went to the house of Ravi Saw situated in Mohalla Thakur bari, Thana road, Jahanabad. Raju Kumar and others were also there. Raju Saw took money for executing the sale deed but Raju Kumar was not ready to execute the sale deed. The informant suspected that his son was kidnapped by the petitioners, Ravi Saw and Pintu Saw and others.

The learned counsel for the petitioners submits that Police after investigation submitted final form finding the case false as no tangible evidence for kidnapping of Lal Babu Yadav



for ransom was found but the learned Court below after differing with the finding of I.O. took cognizance.

The learned counsel for the informant as well as learned APP vehemently opposed the prayer for anticipatory bail and submitted that Lal Babu Yadav, victim of the case, made his statement under section 164 of the Cr.P.C. and he disclosed that the accused persons offered a cup of tea thereafter, he became unconscious. The victim got consciousness in a forest from where he fled away.

Having considered the fact that Police after investigation found the story of kidnapping for ransom not true but the Court below differing with the finding of I.O. took cognizance, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are 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 learned Additional Chief Judicial Magistrate-IV, Jahanabad, in connection with Kako P.S. case No.131/2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/Rajan.

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