

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59417 of 2018

Arising Out of PS. Case No.-25 Year-2005 Thana- BIHPUR District- Bhagalpur

Niranjan Mandal @ Ranjan Mandal Son of late Bhagwan Mandal Resident of
Village- Sonbarsa, Police Station- Bihpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-11-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Bihpur P. S. Case No. 25
of 2005 instituted for the offence under Section 364/34 of the
Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner is not named in the written report. There is no eye
witness in the case. The victim boy, on recovery, has given his
statement under Section 164 Cr.P.C. on 5.3.2005, wherein, he
has taken the name of this petitioner. Learned counsel for the
petitioner has submitted that in the statement recorded U/s 164
Cr.P.C. he has stated that one boy brought him to the Dholbajja
Police station where his uncle were present from before along
with the police. Thereafter, he returned to his house.



Learned counsel for the State after looking into the case diary has submitted that victim boy has been recovered by the police. But in the statement recorded U/s 164 Cr.P.C., it appears that victim boy has voluntarily returned to Dholbajja Police station along with one boy where his uncle were present from before in the police station. Thereafter, he returned to his house.

Petitioner is in custody since 2.7.2018 having no criminal antecedent.

Considering the aforesaid, let the petitioner, above named, be released 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 IInd Additional District and Sessions Judge, Naugachia, in connection with Bihpur P. S. Case No. 25 of 2005, Sessions Trial no. 286 of 2011 subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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