

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43536 of 2018

Arising Out of PS.Case No. -254 Year- 2018 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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Kanahiya Gupta, S/o Sudama Gupta, R/o Village- Godariya, P.S.-
Vishunpura, Dist- Kushinagar (U.P.)

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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with

Criminal Miscellaneous No.43680 of 2018

Arising Out of PS.Case No. -254 Year- 2018 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Munna Gupta S/o Dwarika Gupta R/o Village- Gobaraha, P.S.
Badwapatti, Distt. Kushinagar(U.P.), At Present R/o Village- Godariya, P.S.
Vishunpura, Distt. Kushinagar(U.P.).

2. Lakdu Gupta@ Lakanu Gupta S/o Babulal @ Babulal Gupta R/o
Godariya, P.S. Vishunpura, Distt. Kushinagar, (U.P)

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.43536 of 2018)

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Anil Kumar

(In Cr.Misc. No.43680 of 2018)

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-08-2018 Both the cases arise out of the same P.S.case number and

they have been heard together and are being disposed of by this

common order.

Heard learned counsel for the petitioners in both the

cases.

Petitioners apprehend their arrest in connection with

Bagaha P.S.Case No. 254 of 2018 registered for the offence

punishable under Section 363 of the Indian Penal Code.

Petitioners are not named in the FIR and later on their



names transpire on the basis of confessional statement and there is allegation of kidnapping against them.

Submission of learned counsel for the petitioners is that the statement of the victim boy recorded under Section 164 Cr.P.C. shows that nobody had kidnapped him, which will appear from the case diary also.

Heard learned APP also, who could not controvert the above submission.

Having heard both sides and in the facts and circumstances, let the petitioners, named above, in the event of their arrest or surrender, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Bagaha, West Champaran, in connection with Bagaha P.S.Case No. 254 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further condition is that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned.

(Vinod Kumar Sinha, J)

spa/-

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