

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49155 of 2018

Arising Out of PS.Case No. -136 Year- 2016 Thana -JANKINAGAR District- PURNIA

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Diwakar Kumar @ Diwakar Yadav, S/o Late Sudish Yadav, Resident of
Village- Janki Nagar, P.S.- Jankinagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate.

For the Opposite Party/s : Mr. Anant Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 01-11-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Janki Nagar P.S. Case No.
136 of 2016 instituted for the offence under Sections 341, 323
and 364A/34 of the Indian Penal Code.

Counsel for the petitioner submits that there was
dispute with regard to transaction of money between the
informant and petitioner. He has enclosed Annexure-3 in support
of such submission. Counsel for the petitioner further submits
that prayer for bail of the petitioner was earlier rejected by
coordinate Bench of this Court vide order dated 15.03.2018
passed in Cr. Misc. 3613 of 2018.

Report regarding status of the case along with
statement of victim girl recorded under Section 164 Cr. P.C. was



called for from the court below which has been received. From the report it appears that case is still pending for appearance of the accused person.

Petitioner is in custody since 23.07.2017.

It is alleged in the written report that while brother of the informant Pankaj Kumar Ravi and Bipin Yadav were going with Motorcycle, the petitioner intercepted them and pulled brother of the informant Pankaj Kumar Ravi from the Motorcycle and assaulted him. Bipin Yadav told the informant that Diwakar Yadav (petitioner) brought Pankaj Kumar Ravi near the house of Gopal Yadav. The informant has raised suspicion that petitioner has kidnapped his brother.

Case diary has been received.

The statement of victim boy recorded under Section 164 Cr. P.C. is available in the case diary from which it appears that victim boy has returned back. He has levelled general and omnibus allegation against the petitioner and co-accused Mantu of taking him somewhere.

Petitioner is said to be in custody since 23.07.2017.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. 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 Sri Divya Prakash, Judicial Magistrate, 1st Class, Purnea, in connection with Janki Nagar P.S. Case No. 136 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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