

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9736 of 2019

Arising Out of PS. Case No.-77 Year-2018 Thana- SONO District- Jamui

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1. Rajkumar Yadav, S/o Chano Yadav, resident of village- Mangochapri, P.S.- Sono, District Jamui.
 2. Chano Yadav, s/o late Dhannu Yadav, resident of village- Bhojpur, P.S.- Khaira, Dist- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

9 28-11-2019 Heard learned counsel for the petitioners and learned
APP for State.

The petitioners in this case are seeking anticipatory bail in connection with Sono P.S. Case No.77 of 2018 registered for the offences punishable under Section 364(A) of the Indian Penal Code.

Learned counsel for the petitioners submits that the present case has been lodged after a period of three years alleging that on 10.07.2015 the informant had sent his son along with accused nos.1 and 3 to the sweet shop of accused no.2 for working on a salary of Rs.2000/- per month but on 16.07.2015 when he asked to accused no.2 about his son ,he was informed that his son had fled away. The accused nos.2 and 3 did not



disclose as to how son of the informant fled away.

Learned counsel submits that the FIR has been lodged after three years and the fact is that son of the informant was mentally unwell. These petitioners have settled down in the village from the outside which is the Sasural of petitioner no.1 and because of some rivalry at this stage the petitioners have been falsely implicated.

Learned APP for the State has after going through the case diary submitted that the informant and his family members are only witnesses in the case and no independent witness has come forward to say in course of investigation that son of the informant had gone to the shop of accused no.2 for working.

Considering the facts and circumstances of the case where the FIR has been lodged after a period of three years and in the case diary no independent witness is said to have come forward to say that the son of the informant had gone to the shop of accused no.2 for working on monthly salary as also that these petitioners have no criminal antecedent, let the petitioners in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.,



Jamui in connection with Sono P.S. Case No.77 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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