

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7498 of 2019

Arising Out of PS. Case No.-10 Year-2004 Thana- NIMCHAKBATHANI District- Gaya

BHOLA RAJBANSHI, Son of Late Naresh Rajbanshi, Resident of Village-
Chhatni Nagar (Bhupesh Nagar), P.S.- Nimchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 08-02-2019 Counsel for the petitioner is permitted to make necessary correction in para 1 with regard to sections of the case.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in **Nimchak Bathani P.S. Case No.10 of 2004** instituted for the offence under Section(s) 364/34, 302 Indian Penal Code.

Counsel for the petitioner submits that there is general and omnibus allegation against the petitioner in the written report.

Counsel for the petitioner further submits that similarly situated co-accused, Amirak Rajwanshi, has already been granted regular bail by co-ordinate Bench of this Court by order dated 02.08.2014 passed in Cr. Misc. No.13278 of 2014.



It is alleged in the written report that sons of the informant, namely, Nikhil Kumar and Jalandhar had gone to graze their cattle. In the meantime, Naresh Rajbanshi caught Nikhil Kumar and Mewa Rajbanshi caught Jalandhar. There were several other persons with them. Petitioner was armed with deadly weapon. They kidnapped both sons of the informant.

Counsel for the petitioner submits that one of the accused Kailash Rajbansi has faced trial and he has been acquitted by judgment dated 06th January, 2017, passed in Sessions Trial No.602 of 2004.

Petitioner is in custody since 28.07.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Gaya,** in connection with **Nimchak Bathani P.S. Case No.10 of 2004,** subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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