

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1528 of 2019

Arising Out of PS. Case No.-131 Year-2017 Thana- BIND District- Nalanda

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1. Ajay Yadav @ Ajay Kumar , son of late Narayan Yadav, resident of ,
village Suratpur, P.S. Bind, District, Nalanda
2. Sujit Yadav @ Chaiyan, son of Sri Ram Pravesh Yadav, resident of village,
Chhatarpur, P.S. Bind, District, Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	M/s A. K. Thakur, Babita Kumari, Advocate
For the Respondent/s	:	Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 15-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in Bind P.S. Case No. 131 of 2017 registered for the offence punishable under Sections 363 of the Indian Penal Code and Section 364/120B of the Indian Penal Code were also added.

Informant has stated in his written complaint that his son , Suraj Kumar who used to live in Gujarat had come to his house on the eve of Chhath and on 08.11.2017 in the evening, he went outside and, thereafter, never returned. He tried to locate him after making inquiry from his friends and relatives but his whereabouts could not be ascertained. His mobile was also found switched off. He has no enmity with anyone.



It has been submitted that the name of the petitioners have surfaced in this case on the subsequent statement made by the informant and his father under Section 164 Cr.P.C. in which he suspected that Akhilesh Yadav, Pappu Yadav, Dhokal Yadav and Ajay Yadav (petitioner) have killed his son. Thereafter, he instituted the case in the police station.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. In the F.I.R., the informant has named none, however, subsequent to F.I.R., he has raised suspicion against the petitioners of kidnapping and killing his son. Petitioners are in custody since 02.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.C.J.m.-IV, Nalanda, Bihar Sharif in connection with Bind P.S. Case No. 131 of 2017 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two



consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

Sanjay/-

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