

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26381 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- VALMIKINAGAR District- West
Champaran

-
1. VINOD MAHTO @ VINOD PRASAD Son of Mukti Mahto R/o Village-
Champapur, P.S.- Valmikinagar, District- West Champaran.
 2. Brijesh Kazi Son of Pyare Kazi R/o Village- Champapur, P.S.- Valmikinagar,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 31615 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- VALMIKINAGAR District- West
Champaran

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1. RAJU KUMAR @ RAJU SINGH Son of Awdesh Singh Resident of Village-
Kadamahiya, P.S.-Valmiki Nagar, District-West Champaran.
 2. Kuldeep Kumar @ Kuldeep Chaudhary Son of Davandua Chaudhary
Resident of Village-Kadamahiya, P.S.-Valmiki Nagar, District-West
Champaran.
 3. Amit Sah Son of Ramayan Sah Resident of Village-Kadamahiya, P.S.-
Valmiki Nagar, District-West Champaran.
 4. Udit Narayan Sharma Son of Phulen Sharma @ Phusena Sharma Resident of
Village-Kadamahiya, P.S.-Valmiki Nagar, District-West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 26381 of 2019)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Shailendra Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 31615 of 2019)

For the Petitioner/s : Mr.Anand Kishore Choudhary

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-07-2019 Both the cases arises out of same P.S.Case, as such



they are being taken together for disposal.

Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Valmikinagar P.S. Case No.01 of 2019, registered for offences punishable under Sections 366/34 of the Indian Penal Code.

Complaint petition on the basis of which this case has been registered discloses that the allegation is that when the informant had gone to earn livelihood, his wife as well as daughters were at the house and he came to know that petitioners Vinod Mahto @ Vinod Prasad and Brijesh Kazi of Cr. Misc. No.26381 of 2019 came to his house and remained in his house and the petitioners in Cr. Misc. No.31615 of 2019 in conspiracy called his wife and since then his wife is traceless.

Submission of the learned counsel for the petitioners in Cr. Misc. No.26381 of 2019 is that the villagers and petitioners in Cr. Misc. No.31615 of 2019 raised objection against them, due to which the wife of the informant suffered from stigma, as such she might have committed suicide and the petitioners in the present case have no hands in that.

On the other hand, the petitioners in Cr. Misc. No.31615 of 2019 have submitted that the petitioners have falsely been implicated in this case and there is no material against



them rather the materials collected during the course of investigation will disclose that the lady has either fled away or committed suicide.

Heard learned A.P.P. , who has opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of Sri Firoz Akram, First Class, J.M., Bagaha, West Champaran in connection with Valmikinagar P.S.Case No.1 of 2019, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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