

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63370 of 2019

Arising Out of PS. Case No.-188 Year-2019 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Munna Jha alias Saroj Jha male aged about 42 years, Son of Sudhakar Jha, Resident of Village-Khara, P.S.-Uda Kishunganj, District-Madhepura.
 2. Chandan Mishra male aged about 35 years, Son of Bilash Mishra, Resident of Village-Fulbaria, P.S.Beldour, District-Khagaria.
 3. Kundan Mishra male aged about 32 years, Son of Bilash Mishra, Resident of Village-Fulbaria, P.S.-Beldour, District-Khagaria.
 4. Jay Nandan Jha male aged about 35 years, Son of Late Asharfi Jha, Resident of Village-Harangi Tola Maheshkhut, P.S.-Gogri Jamalpur, District-Khagaria.
 5. Abhinandan Jha male aged about 50 years, Son of Late Asharfi Jha, Resident of Village-Harangi Tola, Maheshkhut P.S.-Gogri Jamalpur, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 26-11-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners seek regular bail in connection with
Uda Kishunganj P.S. Case No. 188 of 2019 registered under 363
of the IPC and subsequently added sections 364, 302, 201, 34 of
the IPC.

The allegation against the petitioners, as per the first
information report, is that the petitioners have allegedly
kidnapped the son of the informant aged about 9 years.



Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case due to previous enmity inasmuch as earlier the gotni of the informant who was given a compensation of Rs. 23,000/- by the petitioner no. 1 due to the fact that brother-in-law of petitioner no. 1 dashed the gotni of the informant by motorcycle causing her injuries. Learned counsel further submits that the informant had only raised suspicion against the petitioners and there is no evidence to connect the petitioners with the present offence. Learned counsel further submits that police after investigation submitted a final form finding the case as not true against the petitioners and has not sent the petitioners for trial. However, learned Magistrate has differed with the police report and has taken cognizance against the petitioners. Learned counsel further submits that similarly situated accused person has been granted bail by this Court in Criminal Miscellaneous No. 58817 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that police after investigation has submitted final form not sending the petitioners for trial and similarly situated accused person has been granted bail by this Court and the petitioner no. 1 is in custody since 06.06.2019 and



rest petitioners are in custody since 16.07.2019, therefore, I am inclined to grant regular bail to the petitioners.

Accordingly, the petitioners, above named, are directed to be released on bail upon furnishing bail bond of Rs. 20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate Udakishunganj, District- Madhepura in connection with Uda Kishunganj P.S. Case No. 188 of 2019.

(Anil Kumar Sinha, J)

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