

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78642 of 2019

Arising Out of PS. Case No.-311 Year-2019 Thana- MURLIGANJ District- Madhepura

1. ASHOK PASWAN Son of Ramdeo Paswan, Resident of Village- Kolhaipatti, P.S.- Murliganj, District- Madhepura.
2. Anmol Paswan Son of Ramdeo Paswan, Resident of Village- Kolhaipatti, P.S.- Murliganj, District- Madhepura.
3. Binod Paswan Son of Ramdeo Paswan, Resident of Village- Kolhaipatti, P.S.- Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-12-2019 Heard both sides.

Petitioners apprehend their arrest in Murliganj P.S.

Case No.311 of 2019 registered under Sections 363 and 365 of
the Indian Penal Code.

The informant lodged the case for kidnapping of his
son and suspected the hands of the petitioners and others.

Learned counsel for the petitioners submit that the son
of the informant returned and made his statement under section
164 of the Cr.P.C and he identified Ashok Paswan (petitioner
no.1) by his voice. The victim did not name any other person.

Having considered the facts that the victim made
specific allegation against Ashok Paswan (petitioner no.1) that
Ashok Paswan with the help of others kidnapped him and
confined him for many days, I am not inclined to enlarge



petitioner no.1 (Ashok Paswan) on anticipatory bail.
Accordingly, the same is rejected.

so far the case of petitioner nos.2 and 3 is concerned,
they are of course named in the F.I.R. but the victim did not
disclose the names of petitioner nos.2 and 3 in his statement
under section 164 of the Cr.P.C. There is no material to show
that petitioner nos.2 and 3 also participated in kidnapping of the
son of the informant.

Having considered the facts aforesaid, petitioner no.2
(Anmol Paswan) and petitioner no.3 (Binod Paswan), in the
event of their arrest or surrender before the learned court below
within a period of four weeks from the date of
receipt/production of a copy of this order, are directed to be
enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten
thousand) each with two sureties of the like amount each to the
satisfaction of learned C.J.M., Madhepura in connection with
Murliganj P.S. Case No.311 of 2019, subject to the conditions as
laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Prabhat Kumar Jha, J)

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