

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9766 of 2020

Arising Out of PS. Case No.-378 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

1. OM PRAKASH PRASAD @ OM PRAKASH S/o Late Vishwanath Prasad
R/o village- Sahebganj, P.S.- Chapra Town, District- Saran
2. Radh Devi @ Radha Devi W/o Om Prakash Prasad @ Om Prakash R/o
village- Sahebganj, P.S.- Chapra Town, District- Saran

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-09-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 366 and
302/34 of the Indian Penal Code.

While the informant's son was at Remand Home,
Chapra in a case registered against him, the accused persons
started visiting there and gave assurance for getting him
acquitted in the case and in due course they developed intimacy
with her son. On 18.12.2018 at 11 AM, the accused persons
called her son for taking breakfast, who was taken away but
thereafter no any trace of her son could be made. She suspected
that the accused persons have killed her son.

It is submitted by learned counsel for the



petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. As a matter of fact, the informant's son was in judicial custody and was kept in the Remand Home and from there he escaped. Thereafter, the informant by playing shrewd game has lodged this false and frivolous case against the petitioners. It is further submitted that the petitioners have neither met the son of the informant nor they are related in any manner with the informant. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Muffasil P.S. Case No.378 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Trivedi/-

(Anjani Kumar Sharan, J)

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