

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80058 of 2019

Arising Out of PS. Case No.-637 Year-2019 Thana- KHAGARIA District- Khagaria

1. Amrit Raj @ Amjit Raj Son of Kumar Prabhat @ Tutu Yadav Resident of Village-Baluahi, Ward No.24, Mahila College Road, Police Station-Khagaria, District-Khagaria.
2. Ankit Raj Son of Kumar Prabhat @ Tutu Yadav Resident of Village-Baluahi, Ward No.24, Mahila College Road, Police Station-Khagaria, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 28-02-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Khagaria (Muffasil) P.S. Case No. 637 of 2019 registered for the offence under Section 307 & other allied sections of the I.P.C.

As per prosecution case, petitioners alongwith others had kidnapped informant's friend namely Kanhaiya Kumar, while they were on way to petrol pump on motorcycle, but anyhow, Kanhaiya Kumar ran away from there. It is further alleged that his friend Kanhaiya Kumar was threatened by them that they would kill informant and if he (Kanhaiya Kumar) continues friendship with informant, he would also be killed.

It is submitted that petitioners are own brothers and have falsely been implicated. The prosecution case is false and concocted. It is further submitted that in the



statement recorded under Section 164 Cr.P.C., said Kanhaiya Kumar has not stated anything against petitioners. The falsity of the case further appears from the fact that Kanhaiya Kumar was kidnapped and returned also, but the informant, who returned safely, has come forward and lodged the present F.I.R.

In view of aforesaid facts & circumstances, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners 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 Chief Judicial Magistrate, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 637 of 2019 on the following conditions:

“(1) Petitioners shall cooperate 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 on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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