

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79990 of 2019

Arising Out of PS. Case No.-272 Year-2019 Thana- DESARI District- Vaishali

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NARESH RAM, aged about 22 years, Gender-Male, S/o Shibu Ram, R/o village- Jurawanpur, Gopalpur, P.S.- Bidupur, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Rekha Prasad, Advocate.
For the Opposite Party : Mr.Ashok Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 363 and 365 of the IPC.

The prosecution story, in brief, is that on 06.08.2019
at about 3.00 P.M., the informant had gone to Bank alongwith
her three years child and thereafter she started to go to *Dumari*
at the house of her sister by *Tempo* but the driver of *Tempo* did
not get down at *Dumari* and near the tree of *Ashoka*, two
miscreants were standing on Glamour Motorcycle, who tied her
neck with *Gamchha* and due to this, she became unconscious.
Thereafter, both the miscreants put her and her child on
Motorcycle and started to go towards Hajipur. After 30 minutes,
they took her child and threw the informant in the field knowing



that she has died. Thereafter, she was taken in Sadar Hospital.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 16.08.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The victim has been recovered. The name of the petitioner has come in the present case on the basis of confessional statement of co-accused Shatrughan Das. The victim is alleged to have been recovered from the house of co-accused Shatrughan Das. No incriminating article has been recovered from possession of the petitioner. Other co-accused Shatrughan Das has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 87271 of 2019 under order dated 20.01.2020.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief



Judicial Magistrate, Vaishali at Hajipur in connection with
Desari P.S. Case No. 272 of 2019.

(Sudhir Singh, J)

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