

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4156 of 2021

Arising Out of PS. Case No.-19 Year-2020 Thana- NARDIGANJ District- Nawada

1. Ravindra Kumar Son of Munarik Prasad Yadav @ Mundrika Prasad Yadav Resident of Village - Purvi Rajgir, P.s.- Rajgir, Distt.- Nalanda.
2. Munarik Prasad Yadav @ Mundrika Prasad Yadav Son of Late Kuldeep Yadav Resident of Village - Purvi Rajgir, P.s.- Rajgir, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-03-2021 Heard learned counsel for the parties.

The petitioners seek bail in Nardiganj P.S. Case No. 19 of 2020, registered for the offence under Section 363 of the I.P.C. and later on, Sections 302, 201/34 of the I.P.C. was added.

As per the prosecution case, on 07.01.2020 at about 5:00 PM, the son of the informant alongwith co-villager Sone Kumar had left his house for his *sasural* at Rajgir on motorcycle and when on the next date, the informant tried to talk with her son on mobile, the same was “switched off”. Later on, the brother of the informant informed that he had a talk with Shashikant (deceased) and he is in his *sasural* at Rajgir. Subsequently, on 10.01.2020, the informant submitted an



application in the police station alleging therein that some unknown persons had kidnapped her son.

It is submitted on behalf of petitioners that petitioner no. 1 is brother-in-law and petitioner no. 2 is father-in-law of the deceased and they have been implicated in this case only on suspicion. No material has come against petitioners during course of investigation to show their complicity in the alleged occurrence. It is further submitted that co-accused Pramila Devi (wife of deceased) has already been granted bail by a coordinate Bench of this Court, vide order dated 13.10.2020 passed in Cr.Misc. No. 26370 of 2020. Petitioners have clean antecedent and they are in custody since 13.01.2020.

Considering the aforesaid facts & circumstances and the fact that petitioners have been made accused only on the basis of suspicion, the bail application of petitioners is allowed. Let the above named petitioners be released 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 Judicial Magistrate Ist Class, Nawada in connection with Nardiganj P.S. Case No. 19 of 2020, 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 below and shall remain physically present, as directed by the court below, and on their absence on two consecutive dates without sufficient reason, their bail-bond 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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