

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19373 of 2022**

Arising Out of PS. Case No.-81 Year-2019 Thana- NOWKOTHI GARHPURA District-  
Begusarai

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1. Rupesh Mandal @ Rupesh Mahto S/o Shivam Mahto @ Shivan Mandal  
Resident of Samsa, P.S.- Naokothi, District- Begusarai
  2. Ghuran Tanti S/o Late Nemo Tanti Resident of Samsa, P.S.- Naokothi,  
District- Begusarai

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate.

For the Opposite Party/s : Mr. Ramchandra Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2      20-07-2022                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners seek regular bail in connection with  
Nowkothi P.S. Case No. 81 of 2019 lodged under Sections 364  
and 34 of the Indian Penal Code in which interim charge-sheet  
has been submitted under Sections 341, 342, 323, 307 and 34 of  
the Indian Penal Code.

As per the prosecution case, the F.I.R. has been  
lodged by one Aruna Devi stating that at the night of 23.07.2019  
when her nephew Ranbir Kumar was returning from *mela*, he  
was abducted by the petitioners and 5 other named accused  
persons. From the F.I.R. itself, it has been stated that earlier

threatening and demand of ransom were made collectively by them on mobile. The suspicion of murder was also indicated by the informant because in Jeetpur Bahiar recovery of towel and shirt pool of blood were made.

Learned counsel for the petitioners submits that case of kidnapping has been lodged but after investigation it was not found to be true. He submits that the alleged victim was a man of criminal antecedent and is accused of Nowkothi P.S. Case No. 95 of 2018 for offence under Section 307 and other sections. He further submits that from the F.I.R. itself there is no specific allegation, rather their names have been figured only and only on the basis of suspicion. He submits that petitioners are in custody since 19.12.2021 and charge sheet has already been filed against them. He further submits that similarly situated co-accused, namely, Deepak Kumar @ Dipak Mahto has already been granted bail by the Co-ordinate Bench of this Court vide order dated 02.11.2021 passed in Cr. Misc. No.18678 of 2021. He further submits that petitioners are of clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and

the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of Sri Rajeev Ranjan, learned Judicial Magistrate, 1<sup>st</sup> Class, Begusarai in connection with Nowkothi P.S. Case No. 81 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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