

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47139 of 2021

Arising Out of PS. Case No.-177 Year-2021 Thana- RIVILGANJ District- Saran

1. HARENDRA CHOUDHARY Son of Late Gilash Choudhary Resident of Village- Naviganj Bintoli, P.S.- Rivilganj, District- Saran.
2. Basmatiya Devi Wife of Harendra Choudhary Resident of Village- Naviganj Bintoli, P.S.- Rivilganj, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Srivastva, Adv.
For the Opposite Party/s	:	Mr. Anant Kumar 1, APP
For the informant	:	Mr. Raghvendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 364 and 34 of the Indian Penal Code to which section 302 of the Indian Penal Code and section 27 of the Arms Act were added subsequently.

As per the prosecution case, the son of the petitioners were taken away by Ravi Kumar and his friend Shamsheer on a motorcycle and did not return. It is stated by the informant that his son was having regular differences and fight with Ravi Kumar. In his kidnapping besides Ravi Kumar, his parents who are the two petitioners herein, as also others also



have a hand.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case for the reason that they happen to be the father and mother of Ravi Kumar. In course of investigation, an alleged confessional statement of Ravi Kumar has been recorded wherein he has confessed to have committed the crime. Even as per the said confessional statement no overt act has been alleged against these petitioners. The petitioners are in custody since 20.5.2021 and chargesheet has been submitted in the case. They have no criminal antecedents.

The application is opposed by learned A.P.P. for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioners having remained in custody for over 8 months, the Court directs the petitioners to be enlarged on bail in connection with Rivilganj P.S. Case no. 177 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra.

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(Partha Sarthy, J)

