

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47366 of 2022

Arising Out of PS. Case No.-75 Year-2022 Thana- JHANJHARPUR District- Madhubani

1. SURAJ KUMAR JHA @ DURGESH JHA Son of Shashikant Jha Resident of Village - Angoula, P.s.- Singhia, Dist.- Samastipur.
2. Durga Prasad @ Dipak Son of Ram Thakur Resident of Village - Bideha, Dhatta Tol, P.S.- Rosera, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-12-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the Office, within a period of four weeks.

The petitioners seek bail in a case instituted for the offences under Sections 367, 368, 34 of the Indian Penal Code.

Prosecution allegation, in short, is that the accused persons abducted the driver of the container/truck which was parked on N.H.-57.

It has been submitted on behalf of the petitioners that they are in custody since 17.04.2022 and have got no criminal



antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners are not named in the F.I.R. The names of the petitioners have transpired on the basis of confessional statement of co-accused before the police. Except for this, there is no other substantive evidence to suggest the participation of the petitioners in the present case. The petitioners have not been put on T.I.P. to ascertain their participation in the said occurrence.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, above named, 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 A.C.J.M.-I, Jhanjharpur, Madhubani in connection with Jhanjharpur P.S. Case No. 75 of 2022, G.R. No. 621 of 2022.

(Sudhir Singh, J)

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