

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11728 of 2022

Arising Out of PS. Case No.-219 Year-2020 Thana- MUNGER MUFFASIL District- Munger

1. KIRAN MANDAL Son of Ramdev mandal Resident of Village - Chay Tola, Pirpahar, P.s.- Muffasil, Distt.- Munger.
2. GULTEN MANDAL Son of Ramdev Mandal Resident of Village - Chay Tola, Pirpahar, P.s.- Muffasil, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

5 09-02-2023 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

At the very outset, learned counsel for the petitioner seeks permission to withdraw the anticipatory bail petition in respect of petitioner No. 1, Kiran Mandal.

Accordingly, the petition in respect of petitioner No. 1 is dismissed as withdrawn.

The petitioner No. 2 apprehends his arrest in



connection with Muffasil P.S. Case No. 219 of 2020, registered for the offences punishable under Sections 364 of the Indian Penal Code.

As per allegation, son of the informant was traceless since 09.06.2022. She had suspicion that the accused persons named in the FIR had kidnapped her son.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no motive at all in the FIR for kidnapping the son of the informant. He has further submitted that the witnesses in paragraph Nos. 22, 23 and 24 have stated that the informant has falsely implicated the petitioner in this case, merely on the basis that one Madan Chaudhary was family members of the informant who was a person of criminal nature and he was sent to the jail at the behest of the petitioner and villagers.

On the other hand, the learned Addl.P.P. has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner No. 2, in the event of his arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Munger in connection with Muffasil P.S. Case No. 219 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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