

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47633 of 2022

Arising Out of PS. Case No.-24 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

MANORANJAN KUMAR @ MANORANJAN YADAV S/o Hajari Yadav
R/o Village- Athaniya Diyara, P.S.- Pirpainty, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 51882 of 2022

Arising Out of PS. Case No.-24 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

DIWAKAR KUMAR YADAV S/O VINDESHWARI YADAV Resident of
Village- Ranipur, P.S.- Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47633 of 2022)

For the Petitioner/s : Mr.Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 51882 of 2022)

For the Petitioner/s : Mr.Purushottam Kumar Das, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-03-2023 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners seek bail in a case registered for the
offence under Sections 363,364 of the Indian Penal Code.

The FIR of the occurrence of abduction is against
unknown.



Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case only on the basis of the suspicion. He further submits that the petitioners are not named in the FIR. The name of the petitioners have been transpired during investigation on the basis of the self-confessional statement of the petitioners and on the basis of the C.D.R. Report. Further submits that except suspicion, no other cogent material has come during investigation against the petitioners and the police, after investigation, submitted chargesheet against the petitioners and petitioner Manoranjan Kumar @ Manoranjan Yadav is in custody since 23.02.2022 and petitioner Diwakar Kumar Yadav is in custody since 19.02.2022 respectively.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, 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 the learned court below where the case is pending in connection with S.Tr.No.370 of 2022 arising out of Industrial Area P.S.Case No. 24 of 2022 with the following conditions:-



(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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