

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47824 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- KESARIA District- East Champaran

RAMCHANDRA RAI S/o Late Budhhu Rai R/o village- Sundrapur Malahi
Tola, P.S.- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 47520 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- KESARIA District- East Champaran

1. MANOJ KUMAR YADAV @ MANOJ RAI Son of Ramchandra Rai
Resident of Village- Sundrapur Malahi Tola, PS- Kesariya, Dist- East
Champaran
2. Bhushan Rai Son of Samrik Rai Resident of Village- Sundrapur Malahi Tola,
PS- Kesariya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47824 of 2022)

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Ms.Asha Devi

(In CRIMINAL MISCELLANEOUS No. 47520 of 2022)

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Ms.Asha Devi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 14-03-2023 Both cases arise out of same police station case numbers, as such; both cases were taken up together and are being disposed of by this common order.

Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 363, 364, 365, 34 of



the Indian Penal Code.

As per the prosecution case, all the F.I.R. named accused persons, including these petitioners, kidnapped the son of the informant namely Arun Kumar on gun point.

It is submitted on behalf of petitioners that petitioners have been falsely implicated in this case. It is further submitted that present case has been lodged only with a view to put pressure on petitioners' side to compromise the case i.e. Kesariya P.S. Case No. 248 of 2021, which was lodged from the petitioners' side in which nephew of the petitioners was killed by informant's son namely Munna Kumar. It is further submitted that petitioners have not kidnapped the son of informant, rather nobody has kidnapped her son, but only with a view to take revenge, this false and concocted case has been filed. It is lastly submitted that similarly situated co-accused Dilip Rai has been granted bail by a coordinate Bench of this Court, vide order dated 16.11.2022 passed in Cr.Misc. No. 37243 of 2022. Petitioners have got clean antecedent.

Learned A.P.P. for the State vehemently opposes the prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner namely Ramchandra Rai (in Cr.Misc. No.



47824/2022) and petitioners namely Manoj Kumar Yadav @
Manoj Rai and Bhushan Rai (in Cr.Misc. No. 47520/2022), in
the event of their arrest/surrender within a period of six weeks
from today, be enlarged 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 Judicial Magistrate 1st
Class, Motihari, East Champaran / concerned court in
connection with Kesariya P.S. Case No. 343 of 2021, subject to
condition as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

