

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57320 of 2022

Arising Out of PS. Case No.-641 Year-2019 Thana- KHAGARIA District- Khagaria

1. Manoj Kumar Yadav @ Manoj Yadav Son of Saryug Yadav R/o Village - Usri, P.S. and P.O.- Gogri, District - Khagaria.
2. Santosh Kumar Yadav @ Santosh Yadav Son of Saryug Yadav R/o Village - Usri, P.S. and P.O.- Gogri, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Narayansingh, Advocate
For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioners are apprehending arrest in
connection with Gogri P.S. Case No. 641 of 2019 under sections
364 & 120B/34 of the Indian Penal Code.

As per the prosecution story, the informant alleged
that his father was kidnapped near a temple while returning
from the Court by one Prabhat Kumar along with his 4-5
associates who took him on a Bolero towards 'Khair Diara' .
Later, he got a call from his father stating that he is staying in



the house of Vikash Kumar and they may kill him. Accordingly, the present FIR.

Subsequently, the man returned and named the accused persons in which the present petitioners were alleged to have facilitated his kidnapping.

Learned counsel for the petitioners submit that both the informant as well as his father are accused in number of criminal cases and some of which have been lodged by the petitioner no.2 Santosh Kumar.

Further allegation is that the police investigated the matter and came to the conclusion that while the petitioner, a practicing lawyer was at SDJM Court, Gogri, Khagaria where as one Praveen Kumar who is in the police services was in the meeting chaired by the Superintendent of Police, Vaishali. Thus, the police submitted final form against them. However, later cognizance taken amongst other the petitioners herein.

Taking into account the aforesaid fact that the police after investigation had submitted final form against these petitioners, petitioner no.1 is a practicing lawyer, will be ultimately facing the trial, this Court is inclined to grant them the privilege of anticipatory bail.

Let the petitioners be released on bail, in the event



of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Gogri P.S. Case No. 641 of 2019 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/Ajay Singh

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