

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5685 of 2023

Arising Out of PS. Case No.-91 Year-2020 Thana- PASRAHA District- Khagaria

1. Arjun Yadav S/o Late Mahmud Yadav @ Late Mahagu Yadav R/o village- Deory, Pipra, P.S.- Parbatta (Maraiya), Distt- Khagaria.
2. Brajesh Yadav S/o Sri Arjun Yadav R/o village- Deory, Pipra, P.S.- Parbatta (Maraiya), Distt- Khagaria.
3. Kundan Yadav S/o Sri Arjun Yadav R/o village- Deory, Pipra, P.S.- Parbatta (Maraiya), Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 04-07-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 364, 323, 34 of the Indian Penal Code.

As per prosecution case, the allegation against the petitioners and other accused is of kidnapping the orphan child of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to dirty village



politics. It is further submitted vide para-11 of the petition that during course of investigation, the Dy.S.P has supervised the case and found after interrogation of children who were playing with the orphan child Rohit Kumar, that co-accused namely, Kailu Yadav carried away the child. None of the persons have seen these petitioners to carry away the child. Further, these petitioners were arrested without following the direction of Dy.S.P. and S.P, Khagaria and they have been made accused in a false case. There is no eye witnesses of the alleged occurrence. No any consistent material has come against the petitioners which suggests their complicity in the alleged offence. It is further submitted that the petitioners are languishing in judicial custody since 21.08.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Pasraha P.S. Case No. 91 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned J.M. 1st Class,
Khagaria.

(Sunil Kumar Panwar, J)

lata/-

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

