

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63480 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- KASHICHAK District- Nawada

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1. Raushan Kumar Son of Gabbar Yadav @ Gawar Yadav R/o village - Durgapur, P.S.- Kashichak, Dist.- Nawada.
 2. Kundan Kumar Son of Ramwalak Yadav R/o village - Chhoti Kenar, P.S.- Sarmera, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 18-12-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioners apprehend their arrest in connection with Kashichak P.S. Case No.86 of 2024 registered for the offence under Sections 365/34 of the Indian Penal Code.

3. The allegation against the petitioners along with other co-accused person is to have kidnapped the son of the informant.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners have falsely been implicated in the present case. It is submitted that it appears from perusal of paragraph no.9 of the case diary that in the



statement of 161 of the Cr.P.C. the victim has stated before the investigating officer only about his abduction without any reason. It is further submitted that it appears from perusal of the statement of victim as recorded under Section 164 of the Cr.P.C. in which he has stated that the petitioners kidnapped him for ransom of Rs.10,00,000/-, therefore, the statements of victim as recorded under Section 161 and 164 of the Cr.P.C. are contradictory. It is submitted that petitioners are man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer of bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner and as statement of victim as recorded under Section 161 of the Cr.P.C. and statement as recorded under Section 164 of the Cr.P.C. are contradictory, let both above-named petitioners be released on anticipatory bail in the event of their arrest or surrender before the trial court within a period of six weeks from today on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Nawada in connection with Kashichak P.S. Case No.86 of 2024 subject to the condition laid



down under Section 438(2) of Cr.P.C.

(Ramesh Chand Malviya, J)

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