

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85229 of 2023

Arising Out of PS. Case No.-257 Year-2022 Thana- KISHANPUR District- Supaul

1. Ram Kishun Yadav S/O Late Kash Yadav R/O Village-Phulbariya, P.S-Kishunpur, District- Supaul
2. Daniya Devi Wife Of Ram Kishun Yadav R/O Village-Phulbariya, P.S-Kishunpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363, 365, 498(A) and 34 of the Indian Penal Code and u/s 302 and 201 added later on and charge sheet has been submitted u/s 498(A), 364 and 302 and cognizance has been taken u/s 498(A), 364, 302, and 201 and 34 of the I.P.C.

3. Allegation against the petitioners is that they along with others have kidnapped and murdered the son of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. During investigation police has filed final form against the petitioners, but differing from the final form, learned court below took cognizance against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kishunpur P.S. Case No.257 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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