

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.384 of 2024

Arising Out of PS. Case No.-86 Year-2021 Thana- NIRMALI District- Supaul

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UMESH YADAV S/O RAM BABU YADAV R/O VILLAGE- MAHUA, P.S-
NIRMALI, DISTT.- SUPAUL.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 364, 364(A)/34 of the Indian Penal Code and charge sheet has been submitted under Sections 364, 364A, 120B, 411, 414, 34 of the Indian Penal Code.

It is a case of commission of kidnapping of the son of the informant who is resident of Nepal. The informant alleged that co-accused Ram Kumar Yadav, Lal Babu Yadav, Ranjeet Kumar Yadav, who are residents of Nepal and indulged in kidnapping, murder, extortion in Nepal are involved in the commission of kidnapping of his



son and in the said crime, petitioner, Satish Yadav and Ashok Mandal, who are residents of Bihar have helped them. It is further alleged the said abducted informant's son was kept in the petitioner's house prior to his murder.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner has no concern either with the occurrence, the accused persons or with the vehicle in question. It also submitted that the informant is not an eye witness of the alleged occurrence and no any belongings of the victim was recovered from the house of the petitioner rather he has been dragged in this case. The seized vehicle is not registered in the name of the petitioner, rather one Digambar Prasad Yadav is the registered owner of the seized vehicle. It is further submitted that it is the specific case of the informant that victim was kept captive in the house of petitioner rather during course of investigation, no consistent material evidence has been collected by the Investigation Officer against the petitioner. Similarly situated co-accused has already been granted bail by this Court vide order dated 19.05.2023 passed in Cr.



Misc. No. 71784 of 2021. The petitioner has got no criminal antecedent. Moreover, he is languishing in custody since 13.08.2023.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as the period of judicial custody, let the petitioner, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist, Class Birpur, Supaul in connection with Nirmali P.S. Case No. 86 of 2021.

(Sunil Kumar Panwar, J)

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