

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77461 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- DESARI District- Vaishali

1. Saurav Kumar, Son of Late Surendra Kumar, Resident of Village - Jafarpatti, P.S. - Rajapakar, District - Vaishali
2. Rajesh Kumar, Son of Hareh Prasad Sah @ Hareh Sah, Resident of Village - Jafarpatti, P.S. - Rajapakar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have prayed for bail in connection with Desari P.S. Case No. 76 of 2024 registered for the offence punishable under Sections 363, 365 and 120(B) of the Indian Penal Code.

3. The case of the prosecution is that the son of the informant aged about 7 years, namely, Aditya Kumar has gone to the house of Balindra Sah for having meals. When his son did not return, the informant searched in the night. In the morning, he received a call on his mobile number and he was



informed that his son is with the caller. He was advised not to file case.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. During course of investigation, one Dinanath Kumar @ Dinu was apprehended. The names of these petitioners have surfaced in the confessional statement of Dinanath Kumar @ Dinu. From perusal of the statement of the victim under Section 164 of the Cr.P.C., it also appears that the main thrust of allegation is against Dinu. Victim has not named these petitioners. It has also been argued by learned counsel for the petitioners that the matter has been compromised. Petitioners are languishing in judicial custody since 09.03.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)



each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Desari P.S. Case No.76 of 2024.

(Ashok Kumar Pandey, J)

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