

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2247 of 2015

Arising Out of PS.Case No. -270 Year- 2014 Thana -PHULWARI District- PATNA

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1. Doctor Nut, Son of Lakshman Nutt, Resident of Khagaul Lakhpar, P.S-Phulwarishariff, Distt.-Patna.
 2. Dhandhan Nat @ Samir Nat, Son of Raju Nut, Resident of Maurya Bihar, Road No.3, B.M.P-6, Near Joparpatti, P.S-Phulwarishariff, Distt.-Patna.
 3. Binod Nat, Son of Lotha Nut, Resident of Khagaul, P.S-Phulwarishariff, Distt.-Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Gulnar Begum (App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 13-03-2015 Heard the learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners seek bail in a case registered for the offence punishable under Sections 365, 376, 216 (A) and 34 of the Indian Penal Code.

The prosecution case, in brief, is that on 15.05.2014, the two sisters of the informant, aged about 14 years and 12 years, had gone out to ease. In the meantime, a while colour vehicle came there and elder sister was kidnapped by the occupants of the vehicle.

It is submitted that there is nothing to correlate the petitioners with the alleged occurrence except the confessional statement of petitioner no.1 Doctor Nut and petitioner no.3 Binod Nat. The petitioners have been in custody, but they have not been put on Test Identification Parade nor there is any statement of the victim in this

case.

The learned counsel for the State submits that the petitioners are the notorious criminals and due to their fear, no body dares to name them. However, there is circumstantial evidence to show that the petitioners have committed the offence. The petitioners have criminal antecedents. After investigation, the police has submitted charge sheet.

Considering the facts and circumstances of the case, let the above-named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Sri Jyoti Prakash, Judicial Magistrate, 1st Class, Patna/court concerned in Phulwarisharif P.S. Case No.270/2014 **after framing of charge** with the following conditions :

1. One of the bailors will be the close relative of the petitioners.
2. The petitioners will not indulge in similar or in any other offence.
3. The petitioners will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, their bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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