

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33602 of 2014

Arising Out of PS.Case No. -89 Year- 2013 Thana -SAHIYARA District- SITAMARHI

- =====
1. Ramashray Paswan son of Late Jamun Paswan
 2. Bhola Paswan son of Ramashray Paswan
 3. Deolal Paswan son of Pasar @ Parmeshwar Paswan
 4. Shailendra Paswan son of Sitaram Paswan
 5. Birendra Paswan son of Ram Shresth Paswan
 6. Santosh Paswan son of Sitaram Paswan
 7. Lobhi chand Paswan son of Late Makhan Chandra Paswan
 8. Rameshwar Paswan @ Ram Ishwar Paswan son of Dev Lal Paswan
 9. Santosh Paswan son of Lobhi Chandra Paswan All resident of Village-
Harnahiya, P.S.- Sahiyara, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Yogendra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2015 At the outset, it is submitted that petitioner no. 1

has already been arrested, hence, this application has

become infructuous so far as it relates to petitioner no. 1.

Heard learned counsels for the petitioners and the

State.

The petitioner nos. 2 to 9 are apprehending arrest

in a case registered for the offences punishable under

Sections 361,366 and 366A of the Indian Penal Code.

The petitioners were named in the FIR with

accusation of kidnapping the minor daughter of the

informant.

It is submitted by learned counsel for the petitioners that the victim did not name the petitioners, as a result, they were not sent up for trial but subsequently the learned trial court vide order dated 29.5.2014 in exercise of power under section 319 Cr.P.C. summoned the petitioners. The impugned order does not reflect any discussion of the evidence which persuaded the trial court to summon the petitioners in exercise of jurisdiction under section 319 Cr.P.C.

Considering the aforesaid facts, let the above named petitioner nos. 2 to 9 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve 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 Adhoc additional Sessions Judge II, Sitamarhi in connection with S.T. No. 376 of 2013 arising out of Sahiyara P.S. Case No. 89 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The learned court below shall be at liberty to cancel the bail bonds of the petitioner nos. 2 to 9 in case



they default without any reasonable cause on three consecutive occasions.

(Dinesh Kumar Singh, J)

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