

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42532 of 2014

Arising Out of PS.Case No. -156 Year- 2013 Thana -AURAI District- MUZAFFARPUR

Sunil Roy @ Sunil Kumar Son of Jagarnath Ray, Resident of Village -
Raipur, P.S. - Runnisaidpur, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.45461 of 2014

Arising Out of PS.Case No. -156 Year- 2013 Thana -AURAI District- MUZAFFARPUR

Uday Rai S/O Ram Jinesh Roy R/O Village- Ibrahimpur, P.S.-
Runnisaidpur, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.42532 of 2014)

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : APP

(In Cr.Misc. No.45461 of 2014)

For the Petitioner/s : Mrs. Jyotsna Rani Mishra

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 21-01-2015 Since both the petitions arise out of common police station case, therefore, both the matters have been heard together and are being dispose of by this common order.

The petitioners of both the cases seek bail in a criminal prosecution registered under Sections 363, 364(A)/34 of the Indian Penal Code on the allegation that son of the informant was abducted by the unknown miscreants.

It is submitted that the alleged victim has returned to his house and is living with his family members. It is further submitted that the petitioners are in judicial custody since 29.08.2013.

Be that as it may, in the facts and circumstances of the case, the petitioners of both the cases, above named, are directed

to be released on bail on furnishing bail bond of Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge, Muzaffarpur in connection with Aurai P.S. Case No. 156 of 2013 giving rise to Sessions Trial No. 83 of 2014, subject to the conditions that:

- (A) One of the bailors must be government servant or close family members of the petitioners, who will file an affidavit in the court below showing his/her relationship with the petitioners,
- (B) if the petitioners are found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (C) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in person or through representation by their lawyer on each and every dates, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Birendra Prasad Verma, J)

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