

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20844 of 2015

Arising Out of PS.Case No. -35 Year- 2015 Thana -RAMGARHWA District- EAST
CHAMPARAN(MOTIHARI)

- =====
1. Ram Swaroop Yadav S/o Shivanath Yadav
 2. Babul Yadav s/o Shivnath Yadav
 3. Akhilesh Yadav s/o Shivnath Yadav
 4. Naginiya Devi @ Nagina Devi w/o Shivnath Yadav All r/o Adhakapariya P.S. Ramgarhwa Dist E. Champaran
 5. Birendra Yadav s/o Mahendra Yadav r/o vill Pakadi P.S. Adapur Dist. E Champaran.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Dhannjay Kumar No 2

For the Opposite Party : Mr. Shantanu Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 07-07-2015

After some arguments, learned counsel for the petitioners seeks permission to withdraw the application in so far as petitioner no.1, namely, Ram Swaroop Yadav is concerned in order to move the learned Court below for regular bail. Permission is accorded.

Rest of the petitioners four in numbers are the family members of accused Ram Swaroop Yadav who is said to have kidnapped/abducted the daughter of the informant. The victim girl has recorded her statement under Section 164 of the Cr.P.C. (Annexure-2) wherein nothing has been alleged against these petitioners.

In the facts and circumstances of the case, this Court is inclined to extend the privilege of anticipatory bail to the

petitioner Nos. 2 to 5. Let the petitioner Nos. 2 to 5, namely, Babul Yadav, Akhilesh Yadav, Naginiya Devi @ Nagina Devi and Birendra Yadav respectively in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Raxual at Motihari East Champaran, in connection with Ramgarhwa P.S. case no. 35 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors in each case shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioners shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

Shyam/-

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(Kishore Kumar Mandal, J)