

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18672 of 2015

Arising Out of PS.Case No. -136 Year- 2013 Thana -MAIRWA District- SIWAN

1. Suresh Pasi S/o Kanhaiya Pasi
2. Yougendra Pasi S/o Kanhaiya Pasi
3. Mukesh Pasi S/o Baban Pasi.
All are resident of village- Mahmedpur P.S. Manjhi District- Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 16-06-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for offence under Section 365 of the Indian Penal Code and the fact that it was the petitioner no. 1 who initially had filed a complaint case on 10.05.2013 against Saheb Pandit, Madan Pandit and Lalan Pandit with regard to misappropriation of a sum of Rs. 20,000/-, being of the share of the petitioner no. 1, whereafter the present complaint case was filed on 19.06.2013 alleging kidnapping of Saheb Pandit, one of the accused in the complaint case filed by the petitioner no. 1, this Court, by taking into account that the petitioners have also got no criminal antecedent, would be inclined to grant privilege of anticipatory bail to the petitioners.

That being so, if the petitioners, namely, Suresh Pasi, Yougendra Pasi and Mukesh Pasi surrender before the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to

the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Mairwa P.S.Case No. 136 of 2013 subject to the following conditions:



- (i) That both the bailors will be close family relatives of the petitioners, who will undertake an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the court if there is any change in the addresses of the petitioners.
- (ii) That the affidavit shall clearly state that the petitioners are not accused in any other case and if they are, they shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of their bail on the ground of misuse.
- (iv) That the petitioners will be well represented on each and every date in course of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Sujit/-

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