

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10706 of 2016

Arising Out of PS.Case No. -220 Year- 2015 Thana -PALASI District- ARRARIA

1. Bibi Rubena Khatoon @ Bibi Rubena Wife of Ranil Resident of Village
- Charebna, P.S. - Palasi, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.12187 of 2016

Arising Out of PS.Case No. -220 Year- 2015 Thana -PALASI District- ARRARIA

1. Ali Hasan @ Manchhur @ Md. Ali Hasan Son of Late Qurban Ali
Resident of Charebna, P.S. Palasi, District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.10706 of 2016)

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Opposite Party/s : Mr. Sunil Kumar Pandey(App)

(In Cr.Misc. No.12187 of 2016)

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. A.K.Choudhary(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA

ORAL ORDER

3 27-04-2016 Both the Criminal Miscellaneous are of the same
occurrence and as such have been heard together and are being
disposed of by passing this common order.

Heard the learned counsel for the petitioners as well
as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 363 and 302/34 of the I.P.C

Allegedly, seventeen days old son of the informant was taken away by the women concealing her face and during enquiry it reveals that some Tantrik has advised the petitioners and others to offer Bali of three children and then they will get a Ghaila of Asharfi and the dead body of the infant was recovered from the pond.

Submission is of false implication and that no one has seen the petitioners taking away the son of the informant, only on the suspicion the petitioners have been implicated, there is no eye witness of the occurrence and without any legal and tangible material the petitioners are suffering in custody, during supervision the informant has appeared before the Supervising Authority and has stated that she has wrongly named the petitioners and others as per version of the villager, vide paragraph-32 of the case diary.

The learned A.P.P. fairly submits that the informant has filed petition in the court below also and further during supervision she has appeared before the Supervising Authority.

In the facts and circumstances as stated above, the petitioners are directed to 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 Shree Raghuvansh Narain, A.C.J.M. 3rd, Araria in Palasi P.S. Case No. 220 of 2015/ G.R. No. 3460 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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