

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13484 of 2016

Arising Out of PS.Case No. -303 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

- =====
1. Kalahi Khatoon Wife of Naga Darji, R/o Village- Shisaula, P.S.-
Mejorganj, District- Sitamarhi
 2. Ajmeri Khatoon @ Ajmun @ Laxmi Devi daughter of Naga Darji, wife
of Shamu Singh @ Ramendra Kumar Singh, R/o Village-Gamahariya,
P.S.- Mejorganj, 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. C.Jawahar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

5 24-06-2016 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, 365, 370, 120B and 370A of the I.P.C and sections 5 and 6 of the I.T.P.A. Act.

The petitioners are named in the First Information Report with the allegation that Sajmun Khatoon and petitioner no.1 Kalahi Khatoon took away five months old daughter of the informant and all the FIR named accused persons have kidnapped the daughter. During investigation the victim girl was recovered on the basis of the confession made by Sajmun Khatoon from possession of Guddi Kumari and Nandani Devi.

Submission is of false implication and that the

petitioners have got no concern with the alleged crime, the victim girl has not been recovered from their possession and without any fault they are suffering in custody since 23.12.2015.

The learned A.P.P. opposes prayer for bail by submitting that the petitioners are also members of the gang but the victim girl was not recovered from possession of the petitioners.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such 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 C.J.M. Sitamarhi in Mejorganj P.S. Case No. 303 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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