

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29142 of 2016

Arising Out of PS.Case No. -206 Year- 2014 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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1. Madan Nonia Son of Shiv Murat @ Shiv Muni Nonia
 2. Vinod Nonia Son of Shiv Murat @ Shiv Muni Nonia
 3. Ravindra Nonia Son of Shiv Murat @ Shiv Muni Nonia All resident of Village- Merdh, P.S.- Chainpur, District- Kaimur at Bhabua.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party : Mr. Smt. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 29-08-2016 Heard the counsel for the petitioner and Mr. Ashok Kumar, learned APP for the State.

Petitioners apprehend their arrest in Chainpur P.S.Case No.206 of 2014 instituted under Sections 302/34 of the IPC.

It is alleged by the informant that the petitioners and others cited in the FIR took his son to take food whereafter he did not return. He suspected that his son was killed by these accused persons.

Contention of the petitioners is that upon detailed investigation the investigating agency did not find any convincing material against the petitioners and, as such, these petitioners were not sent up for trial whereas other accused persons were sent up

for trial. The petitioners have no criminal antecedent. Referring to the impugned order, it is stated that in the three paragraphs of the case diary, quoted therein, the name of the petitioners have not surfaced.

Considering the above, I direct in the event of their arrest or surrender in the court below within a period of four weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabua Court in connection with Chainpur P.S.Case No.206 of 2014, subject to the conditions as laid down under Sections 438(2) of the Cr.P.C. with the further two conditions:

- (i) One of the bailors shall be the own/close family member of the petitioners.
- (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.

(Kishore Kumar Mandal, J)

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