

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50532 of 2016

Arising Out of PS.Case No. -124 Year- 2015 Thana -KISHUNPUR District- SUPAUL

1. Radhe Shyam Sah Son of Budhu Sah Resident of Village-Sripur, Police Station-Kishanpur, District-Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.51174 of 2016

Arising Out of PS.Case No. -124 Year- 2015 Thana -KISHUNPUR District- SUPAUL

1. Satish Sah, Son of Ramprit Sah, resident of Village- Sripur Sukhason, Police Station- Kishanpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.50532 of 2016)

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

(In Cr.Misc. No.51174 of 2016)

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 30-11-2016

Both the above noted applications have arises out

of one occurrence, i.e. Kishanpur P.S. Case No. 124 of 2015 registered for the offences punishable under Sections 363, 364, 366(A) and 120(B)/34 of the Indian Penal Code and, as such, they have been heard together and are being disposed of by this common order.

Heard learned counsel for the petitioners and learned A.P.P. representing the State.

The petitioners want to renew their prayer of bail, which was earlier rejected by order dated 03.03.2016 passed in Cri. Misc. No. 400 of 2016 on the ground that now the victim has returned back and her statement has also been recorded under Section 164 of the Cr.P.C., wherein she has stated that she was not kidnapped rather she has gone with Mrityunjay Kumar Sah, where she married with Mrityunjay Kumar Sah in a temple at Saharsa and out of the wedlock, there is a daughter also.

In view of the statement of the victim girl, now the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Supaul in connection with Kishanpur P.S. Case No.124 of 2015, subject to conditions that one of the bailors must be 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.)

Amit/-

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