

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50273 of 2015

Arising Out of PS.Case No. -123 Year- 2014 Thana -KOPA District- SARAN

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1. Chandrawati Devi, W/o Munglal Manjhi
2. Rajnish Kumar Manjhi, Son of Punyadeo Manjhi,
3. Rekha Devi, D/o Munglal Manjhi,
4. Sivjee Rai, S/o Gamma Yadav,
5. Punyadeo Manjhi, S/o Late Rambalak Manjhi,
6. Hari Shankar Rai, Son of Angya Rai,
All residents of Village- Kashahi Tarawan, P.S.- Kopa, District- Saran.
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh
For the Opposite Party/s : Mr. M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

4 13-01-2016 Heard the Counsel for the petitioner and Mr. Dayal,

APP for the State.

Petitioner nos. 3, 4, 5 and 6 have prayed for grant of
anticipatory bail in connection with Kopa P.S. Case No. 123 of
2014 registered under Section-364 of I.P.C.

The informant alleges that while her 14 years old
son was coming from school, three accused persons kidnapped
him. The other accused persons have hands in gloves with the
accused persons who actually kidnapped the boy. Indisputably,
the boy who was kidnapped has not, till date, been recovered.

Mr. Dayal, on going through the case diary, states
that the investigation is still going on.

Counsel for the petitioner states that petitioner no. 3 is a young married lady against whom there is nothing on record. He also draws attention of the Court to Annexure-2, in order to demonstrate the motive of investigation implication.

Considering the facts and circumstances of the case and the materials reflected from the impugned order, I am not persuaded to privilege petitioner nos. 4 to 6 with anticipatory bail. Their prayer for bail is rejected. They may surrender and seek regular bail.

In so far as petitioner no. 3 Rekha Devi is concerned, in the event of arrest or surrender in the Court below within four weeks, she is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in Kopa P.S. Case No. 123 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any

cogent/satisfactory reason, the Trial Court shall have liberty to
cancel the bail bond of the petitioner and secure his arrest in
accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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