

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36350 of 2016

Arising Out of PS.Case No. -63 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Sunil Kumar son of Shree Bhagwan Sah
2. Shree Bhagwan Sah son of Deo Narain Sah
3. Sita Devi w/o Shree Bhagwan Sah,
All residents of village - Koriganwa, Police Station - Baruraj, District -
Muzaffarpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance:

For the Petitioners : Mr. Anil Kumar, Advocate

For the Opposite Party : Mr. J.K.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-09-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 363, 366, 366(A) and 34 of the Indian
Penal Code registered in connection with Madhuban P.S. Case No.
63 of 2015.

3. It is submitted that the petitioners have been falsely
implicated as evident from the deposition of the informant's
daughter recorded under Section 164 Cr. P.C. wherein she has
clearly stated that she has voluntarily solemnized marriage with
the petitioner no. 1. Her age has been assessed as 19 years. The
petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and
circumstances, in the event of the petitioners' arrest or surrender
before the court below within six weeks from the date of
communication of this order, let the above named petitioners be

released on bail on furnishing 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-cum-Sub Judge Vth, Motihari, in connection with Madhuban P.S. Case No. 63 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners will be well represented on each and every date and if they fail to do so on two consecutive dates without sufficient reason, their bail bonds will be liable to be cancelled by the Court concerned.

(Vikash Jain, J)

Chandran/lbrar

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