

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31503 of 2016

Arising Out of PS.Case No. -173 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

1. Naresh Paswan son of Ramdeo Paswan @ Indradeo Paswan
2. Ramdeo Paswan @ Indradeo Paswan son of Musharu Paswan
Both resident of village- Ekchari, P.S.- Rasalpur (Kahalgaon), District-
Begusarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Indeshwari Prasad Mandal, Advocate

For the Opposite Party: APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-08-2016 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 and 365 of the Indian Penal
Code registered in connection with Kahalgaon (Shiv Narayanpur)
P.S. Case No. 173 of 2016.

3. It is submitted that the petitioners have been falsely
implicated merely on suspicion as the written statement itself
states that the informant's son had gone missing. The accusation
against the petitioners has been made in retaliation as the
petitioner no. 2 had taken the informant's son to the police station
for questioning.

4. Having regard to the entirety of the facts and
circumstances of the case, as such, in the event of the arrest or

surrender of petitioners 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 Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Shiv Narayanpur) P.S. Case No. 173 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:-

(i) 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.

(ii) The petitioners shall remain physically present on each and every date during trial and in the event of failure to do so on three consecutive dates, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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