

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54404 of 2015**

Arising Out of PS.Case No. -215 Year- 2015 Thana -KESARIA District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ram Kumar Prasad son of Late Sudama Prasad.
  2. Pthaloo @ Pthalu @ Mukesh Pandit @ Mukesh Kumar Pandit, S/o Brahmdeo Pandit. Both are resident of village Mathiya, Police Station- Kesariya, District-East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

3      02-03-2016                      Heard the counsel for the petitioners and Mr. M. Dayal,  
  
APP for the State.

The petitioners, along with several co-accused persons, are cited accuseds in Kesariya P.S. Case No. 215 of 2015 registered under Sections 364, 365, 120(B)/34 of the Indian Penal Code. Prior to the present one, the mother of the victim lodged the case in Kesariya P.S. Case No. 214 of 2015. The son of the informant (victim) was prime accused in Kesariya P.S. Case No. 212 of 2015 under Section 302 of the India Penal Code.

In retaliation, Kesariya P.S. Case No. 214 of 2015 was lodged by the informant of this case alleging that her son was assaulted by the petitioners and others. Immediately, thereafter, the present case was lodged that her son was allegedly kidnapped by the petitioners.

The background of these cases were taken notice in detail by the Court while considering the anticipatory bail of co-accused Dilip Kumar who was granted bail by this Court vide order dated 16.10.2015 passed in Cr. Misc. No. 46943 of 2015. The petitioner has no criminal antecedent. He stands on identical footing.

In the facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Learned Judicial Magistrate, 1<sup>st</sup>. Class, Motihari, East Champaran in Kesariya P.S. Case No. 215 of 2015 on condition that one of the bailors shall be his own/close family member. The petitioner shall appear on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

**(Kishore Kumar Mandal, J)**

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