

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16603 of 2017

Arising Out of PS. Case No. -211 Year- 2016 Thana -BAHADURGANJ District- KISANGANJ

- =====
1. Mukesh, Son of Banwari Lal
 2. Munna Lal, Son of banwari Lal;
 3. Rohit, Son of Munna Lal

All are resident of Village Pathrowa, Police Station Chandowsi in the district of Sambhal (U.P.) at present R/o village Mal Tola, P.S. Garbhandanga, District Kishanganj

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Raj Kumar, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-04-2017 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody since 10.10.2016 in connection with Bahadurganj P.S. Case No. 211 of 2016 for the alleged offences under Sections 363, 365 and 366/34 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated as there is no specific act or role assigned to them in the alleged occurrence. The thrust of accusation is against accused Asfaq @ Baghalu and Md. Mustafa and not against the present petitioners. The victim girl in her deposition recorded under Section 164 of the Code of Criminal Procedure has also not named the petitioners. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the



satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Bahadurganj P.S. Case No. 211 of 2016 on the following conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives 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 remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, 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.

(Vikash Jain, J)

B.T/Chandran

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