

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22883 of 2017

Arising Out of PS.Case No. -432 Year- 2016 Thana -BIRAUL District- DARBHANGA

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1. INDRA DEO SADAI @ INDRADEO SADA Son of Rajendra Sada
2. Dularchand Sadai @ Dularchand Sadai @ Dularchand Sada Son of
Chalitra Sada
All are resident of Village- Malmal, Police Station- Kaluahi, District-
Madhubani. Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar @ Ravindra Kr Rai

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 29-06-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with Biraul P.S.
Case No. 432 of 2016 registered for the offences punishable under
Sections 363, 366A/34 of the Indian Penal Code.

Allegedly, co-accused Raju Sada called the daughter of
the informant through mobile and with other FIR named accused
persons fled away with Tata Magic after taking away the daughter of
the informant. The petitioners are not named in the FIR but during
investigation their names have come.

Submission is of false implication and that there is no
legal and tangible material against the petitioners, only on suspicion
and baseless grounds the petitioners have been made accused in this
case, the victim is still traceless and in this case the FIR named accused



Sibdho Sada has been allowed bail vide Cr. Misc. No. 16127 of 2017 by another co-ordinate Bench of this Court and co-accused Laxman Sada has been allowed bail by the learned court below itself and as such the petitioners deserve sympathetic consideration as without any fault they are suffering in custody since 04.02.2017, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP fairly submits that the FIR named accused persons have been allowed bail.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Darbhanga in connection with Biraul P.S. Case No. 432 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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