

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34542 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -SHIWAPATHI District- MUZAFFARPUR

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1. Sumitra Devi, W/o Birendra Giri,
2. Mala Devi W/o Mahesh Giri, Both are R/o Vill.- Chakiya Dharmpur,
P.S.- Siwaipatti, District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-07-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Siwaipatti P.S.Case No. 19 of 2017 registered for the offences punishable under Sections 363, 302 & 301/34 of the Indian Penal Code.

Petitioners are not named in the FIR and it appears that daughter of informant was kidnapped and later on her dead body was recovered. FIR was lodged against unknown. It appears that later on informant filed a petition naming the petitioners and other persons on suspicion and there was enmity from before.

It has been submitted on behalf of the petitioners that there is absolutely nothing against the petitioners and charge-sheet has been submitted against the petitioners and they are in custody for four months.

Heard learned APP also.

Having heard both sides and considering the aforesaid facts and circumstances, this application is disposed of with a



direction to the court below to examine the case diary that except they have been named in the petition filed by the informant there is nothing against the petitioners and if it is so, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Judge 9th – cum-A.C.J.M., Muzaffarpur, in connection with Siwaipatti P.S.Case No. 19 of 2017, subject to the conditions that :-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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