

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5273 of 2017

Arising Out of PS.Case No. -119 Year- 2016 Thana -NAUGACHIA District- BHAGALPUR

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1. Dilip Kasera, Son of late Jagdish Prasad Sah.
2. Sumit Kasera, Son of Dilip Kasera,
3. Punam Devi, Wife of Dilip Sasera. All are the resident of Mohalla-Professor Colony- Naugachia, Police Station- Naugachia, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the informant : Mr. Vinod Kumar Sinha
For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-02-2017 Heard the parties.

This application has been filed in connection with Naugachia P.S.Case No.119 of 2016 for the offence under Sections 366, 498 and 34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that the allegation against the petitioner is that the petitioners in collusion with Ashish Kashera, who is son of the petitioner no.1 have kidnapped the victim lady, as a matter of fact the victim lady is about 30 years old and having two children and one child is aged about 12 years but whatever the allegation is there that is mainly against one Ashish Kashera and not against these petitioners.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides. In view of the fact that the



allegation is mainly against one Ashish Kashera, who is son of the petitioner no.1 and petitioner no.1 and petitioner no.3 are father and mother of Ashish Kashera and the petitioner no.2 is brother of Ashish Kashera, considering the above fact, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Naugachia in the District-Bhagalpur in connection with Naugachia P.S.Case No.119 of 2016 dated 1.7.2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

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

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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