

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46500 of 2017

Arising Out of PS.Case No. -92 Year- 2017 Thana -MARKAHI District- KHAGARIA

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1. Kundan Mehta S/o Late Kamaladhari Mehta
2. Shrawan Mahto S/o Late Kamaladhari Mehta
3. Rahul Kumar S/o Amardeo Mehta
4. Prince Raj S/o Kundan Mehta
5. Lalan Kumar Mehta S/o Jay Narayan Mehta All residents of Village - Bachhauta, P.S. - Morkahi, District Khagaria.

.... 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 Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-09-2017 Heard the parties.

The petitioners seek regular bail in connection with Morkahi P.S.Case No.92 of 2017 registered for offences punishable under Sections 364, 120B/34 of the Indian Penal Code.

Allegation against the petitioners is that he kidnapped the minor boy of the informant. It appears from the FIR that only there is suspicion against the petitioners.

Submission of the learned counsel for the petitioners is that except suspicion, there is nothing against the petitioners, even the mobile was not recovered from possession of the petitioners. Though he is accused in three other cases, out of which one case is of the year, 2015 and another one of the year, 2016. The petitioners are in custody since 26.7.2017. The petitioners are



ready to abide by any condition imposed upon them.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged 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 S.D.J.M., Khagaria in connection with Morkahi P.S.Case No.92 of 2017.

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 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 reasons, the prosecution is free to move for cancellation of their bail bond.
- (iv) Further condition that till conclusion of the trial of this case, he will make his attendance before the concerned Police Station of the area in the first week of every month, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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