

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24704 of 2017

Arising Out of PS.Case No. -186 Year- 2016 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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1. Shankar Chouhan,
2. Lotha Chouhan @ Lotha Kumar, Both sons of Late Ramdeo Chouhan @ Shiv Kumar Chouhan, residents of Village/Mohalla- Chhti Pahari, P.S.- Soh Sarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Pd.Singh, Sr. Adv.

Mr. Pramod Kumar

Mr. Dhirendra Kumar

For the Informant

Mr. Rajni Kant Singh

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-06-2017 Heard the parties.

The petitioners seek regular bail in connection with Soh Sarai P.S.Case No.186 of 2016 registered for offences punishable under Sections 323, 341, 366 (A), 504 & 506/34 of the Indian Penal Code.

Allegation against the petitioners, as per the F.I.R., is that the informant suspected that his daughter was kidnapped by the petitioners and the other co-accused persons and when he enquired about the same with petitioner no.1, he abused him and also tried to assault him.

It is submitted on behalf of the petitioners that except suspicion, there is nothing against the petitioners and now the charge-sheet has also been submitted and they are in custody for



about five months.

Heard learned A.P.P. and the learned counsel for the informant. The learned counsel for the informant has opposed the prayer for bail on the ground that still the girl is traceless, however he could not draw any other circumstances against the petitioners in support of his statement. The F.I.R. also shows that there is no specific alligation against the petitioners.

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 C.J.M., Nalanda at Bihar Sharif in connection with Soh Sarai P.S.Case No.186 of 2016 dated 29.10.2016.

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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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