

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38780 of 2017

Arising Out of PS.Case No. -16 Year- 2016 Thana -PIPRA District- SUPAUL

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1. Gangaram Ram S/o late Basudeo Ram
2. Narayan Ram S/o Gangaram Ram
3. Shiv Kumar Ram S/o Gangaram Ram
4. Sharwan Ram S/o Gangaram Ram
5. Mangali Devi W/o Gangaram Ram
6. Raj Kumar Ram W/o Gangaram Ram All Residents of Village- Ratoli,
P.S. Pipra, District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Pipra P.S. Case No. 16 of 2016 instituted for the offence under Sections-366/34 of the Indian Penal Code.

Counsel for the petitioner has submitted that the informant is not an eye witness. In the case diary, there is no any independent witness to support the case. It has been submitted that the instant case has been filed due to land dispute. The petitioner No. 1 has also filed a case being Pipra P.S. Case No. 203 of 2015 against the informant and others and only to save their skin, this counter case has been filed.



From the complaint petition itself, it appears that occurrence has taken place on 23-01-2016 and the complaint has been filed on 25-01-2016 alleging that all these petitioners entered into Atta Chakki of the informant and kidnapped the minor son of the informant.

The C.D. has been received.

The learned APP after going through the case diary, has submitted that there is no eye witness of this case. In paragraphs-7 & 8 of the case diary, witnesses have stated before the police that the victim boy has gone out for earning livelihood and is staying in Gurgaon with his family members.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Pipra P.S. Case No. 16 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-III, Supaul subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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