

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40183 of 2018

Arising Out of PS.Case No. -136 Year- 2018 Thana -SUPAUL District- SUPAUL

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1. Mithlesh Kumar @ Mithlesh Chaudhary
2. Sujeet Kumar Chaudhary @ Sujeet Kumar Jaiswal @ Sujeet Chaudhary
@ Guddu Chaudhary Both son of Raj Bahadur Chaudhary, resident of
Village- Barail, P.S.- Supaul, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Supaul P.S.Case No.136 of 2018 , registered for offences punishable under Sections -366(A)/34 of the Indian Penal Code.

Allegation against the petitioners as per FIR is of kidnapping the minor daughter of the informant. The petitioner is not named in the FIR.

Submission of the learned counsel for the petitioners is that during investigation, name of the petitioner transpired on the statement of some of the witnesses and except that there is nothing against the petitioner.

Heard learned A.P.P. also, who has opposed the prayer for



bail on the ground that she is still traceless.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, 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 the learned C.J.M., Supaul in connection with Supaul P.S.Case no.136 of 2018, subject to condition 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, otherwise, the prosecution is free to move for cancellation of their bail bond.
- (iv) It is made clear that if any serious incriminating material comes against the petitioner, the prosecution is at liberty to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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