

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56064 of 2018

Arising Out of PS.Case No. -114 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN (MOTIHARI)

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1. Sharda Devi, W/o Late Baliram Prasad,
2. Kaushal Kumar, S/o Late Baliram Pd. Both residents of Bagaha, P.S.-
Ghorsahan, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-09-2018 Heard learned counsel for petitioners and learned A.P.P.

for the State.

The petitioners seek bail in Ghorasahan P.S. Case No.
114/2016, registered for the offences punishable under Section
363 and 364 of the Indian Penal Code. Later on, sections 302, 201
and 120(B) of the Indian Penal Code were added.

Allegation is kidnapping of nephew of the informant.
Later on, his dead-body was recovered from the orchard.

Petitioners who are mother and son have been
implicated in this case on the basis of confession made by co-
accused Vivek Kumar, who is named accused in the F.I.R., even
petitioners have not been named by the informant. Except said



confessional statement, there is no incriminating material against the petitioners.

Petitioners have no criminal antecedent. They are in custody since 30.06.2018.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Ghorasahan P.S. Case No. 114/2016, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bonds.
- (3.) If the 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.

(S. Kumar, J)

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