

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60114 of 2017

Arising Out of PS.Case No. -170 Year- 2017 Thana -NAYA RAM NAGAR District- MUNGER

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1. Durga Devi, W/o Sadanand Mandal,
2. Munga Devi W/o Gautam Mandal, Both R/o Village- Ramishan Diyara
Kari Marar Tola, P.S.- Bariyarpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha, Advocate

For the Opposite Party/s : Mr. Ram Priya Saran Singh, A..P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-01-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor of the State.

The petitioners are apprehending their arrest in connection with Naya ram Nagar P. S. Case No. 170 of 2017 registered for offences punishable under Sections 364/34 of the Indian Penal Code.

The allegation of the informant is that the son of the informant had gone to the market on 03.02.2017 but did not return thereafter. It is further alleged that when the informant and his family members were searching the said missing person, they asked the petitioners about the missing person upon which they told that his son had gone to earn livelihood and would return after



six months.

Learned counsel for the petitioners submits that the petitioners have clean antecedent and even in case diary, no material is present so as to connect the petitioner with the alleged occurrence.

Learned A.P.P. for the State submits that the witnesses, who have been examined by the police have stated that when the informants' side was searching for the missing person, the petitioners told him that the missing person had gone out of the village.

Considering the facts and circumstances of the case, as also the fact that there is no material in the case diary to connect the petitioners with the alleged crime, I deem it fit and proper to enlarge the petitioners on anticipatory bail in the event of their arrest/surrender within six weeks from today, in connection with Naya Ram Nagar P.S. Case No. 170 of 2017, on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned additional Chief Judicial Magistrate, 1st, Munger, subject to the conditions as laid down under Section 438 (2) Cr.P.C. with further conditions that (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2)



petitioners shall cooperate in the trail 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 bonds 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

(Mohit Kumar Shah, J)

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