

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65717 of 2018

Arising Out of PS. Case No.-304 Year-2018 Thana- TRIVENIGANJ District- Supaul

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1. Md. Dilsad, Son of Md. Sadre Alam,
 2. Md. Abul, Son of Md. Sarif Ray,
- Both resident of Village- Atalkha Belhi, P.S.- Triveniganj,
District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Ms. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 04-12-2018 Heard learned counsel for the parties.

Petitioners seek bail in Triveniganj P.S. Case No.304/2018 registered for the offence punishable under Sections 363, 364, 120(B)/34 of the Indian Penal Code.

Informant has alleged that the petitioners have taken away his son to Pipra Bazar on assurance of painting work but when his son did not return till evening, he went to the house of the petitioners and inquired about his son then the petitioners told the informant that they would bring their son back but till date his son is traceless.

It has been submitted on behalf of the petitioners that the occurrence took place on 15.04.2018, however, the F.I.R. was lodged on 06.08.2018 after a delay of about four months



which shows that this is an afterthought. It has further been submitted that the victim boy went away somewhere else after quarreling with his father on account of some land dispute and, thus, the informant could not institute the case at that point of time and under the pressure of the villagers, the informant has filed this case. It is further contended that the petitioners have no criminal antecedent and they are in custody since 09.08.2018.

Counsel for the informant has vehemently opposed the prayer for grant of bail.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1st, Supaul in connection with Triveniganj P.S. Case No.304/2018, with following 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 represented on each and every date fixed by the court.



(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)

Sanjay/-

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