

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22456 of 2018

Arising Out of PS.Case No. -193 Year- 2016 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Shri Kishun Manjhi, Son of late Radha Manjhi, Resident of Village-
Bakhriya, Police Station- Majhaulia, District- West Champaran.
2. Deoki Manjhi, Son of Sukhal Manjhi.
3. Bhutan Manjhi, Son of Late Bhola Manjhi, 2 & 3 are residents of
Village- Pokhriya, Police Station- Bairiya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Bairiya P.s.Case no.193 of 2016 , registered for offences punishable under Sections 364, 367, 368 and 120(B) of the Indian Penal Code.

Allegation against the petitioners is of kidnapping the son of the informant, who is dumb.

Submission of the learned counsel for the petitioners is that the materials collected during the course of investigation itself shows that the victim was taken by the petitioner no.1 who is a contractor for work at Uttarakhand and at Uttarkahand the boy disappeared and as he is dumb, he is not available on the mobile



and except that there is absolutely nothing against the petitioner.

Heard learned A.P.P. also.

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 A.C.J.M.-4th, Bettiah, District West Champaran in connection with Bairiya P.S.Case No.193 of 2016, 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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