

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29632 of 2019

Arising Out of PS. Case No.-133 Year-2018 Thana- ISHIPUR District- Bhagalpur

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1. Nand Kishor Das, son of late Dasrath Das
 2. Asha Devi, wife of Nand Kishore Das
 3. Prithvi Kumar @ Prithvi Kumar Das, son of Nand Kishore Das
- All resident of village Sarkanda Billaiya, P.S. Ishipur Barahat, Ditric
Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra
For the Opposite Party/s : Mrs. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 366A, 323, 504, 506, 34 IPC registered in connection with Ishipur Barahat P.S. Case No. 133/2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the father, mother and brother of Ram Pravesh Kumar Das who is said to have taken away the informant's daughter with the help of co-accused Muneshwar Kumar Das. It is submitted that even on the averments in the FIR no offence as alleged are made out against the petitioners who themselves have no information about the whereabouts of co-accused Ram Pravesh Kumar Das. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of



learned ACJM VIII, Bhagalpur, in connection with Ishipur Barahat P.S. Case No. 133/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner nos. 1 and 3 shall remain physically present and petitioner no. 2 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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