

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64315 of 2018

Arising Out of PS. Case No.-140 Year-2018 Thana- BARGAINIA District-
Sitamarhi

- =====
1. Deeplal Sah Son of Late Sita Ram Sah
 2. Baliram Sah @ Baliram Kumar Son of Deeplal Sah
 3. Amirkhi Devi Wife of Deeplal Sah
 4. Naresh Sah @ Naresh Kumar Sah Son of Deeplal Sah All Resident of
Village-Ashogi, P.S. Bairstania, Distt.-Sitamarhi

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Hans Lal Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 15-02-2019 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 363, 366, 372, 373/34 of the Indian Penal Code registered in connection with Bairstania P.S. Case No. 140 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the parents and brothers of co-accused Chandan Kumar who is said to have kidnapped the grand daughter of the informant. The only accusation against the present petitioners is of abusing and making demand of money which is mere embellishment. 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 Chief Judicial Magistrate, Sitamarhi in connection with Bairgania P.S. Case No. 140 of 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate 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) That the petitioner nos. 1,2 and 4 shall remain physically present and petitioner no. 3 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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