

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.69042 of 2018**

Arising Out of PS. Case No.-280 Year-2017 Thana- MOHANIYA District- Bhabhua (Kaimur)

1. Shio Kumar Sah Son of Late Ram Dahin Sah
2. Sher Bahadur Sah @ Putul Sah Son of Shio Kumar Sah (Petitioner No.1)  
Both are Resident of Village-Pusauli Gola,P.S. Mohaniya,Distt.-Kaimur at Bhabhua

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

3      25-02-2019                      Heard learned counsel for the petitioners and learned APP  
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 366(A)/34 IPC registered in connection with Mohaniya P.S. Case No. 280/2017.

3. It is submitted that the petitioners have been falsely implicated and except suspicion there is no objective material to connect the petitioners with the alleged occurrence. The complaint was filed as far back as on 27.4.2015 without specifically mentioning the alleged date of occurrence and the FIR has been instituted more than two years thereafter on 10.06.2017. The informant in her restatement before the police has herself accepted that she was not sure about the identity of the persons who have taken away her daughter. 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 CJM, Kaimur at Bhabua, in connection with Mohaniya P.S. Case No. 280/2017 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 petitioners shall remain physically present 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.

Chandran/-

**(Vikash Jain, J)**

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