

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59213 of 2019

Arising Out of PS. Case No.-286 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

1. RAM ISHWAR RAM @ RAMESHWAR RAM Son of Uma Shankar Ram Resident of Village - Bahuara, P.S.- Mohania, Dist.- Kaimur at Bhabua.
2. Kanchan Devi W/o Ram Ishwar Ram @ Rameshwar Ram Resident of Village - Bahuara, P.S.- Mohania, Dist.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-09-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 366 of the Indian Penal Code, registered in connection with Mohania P.S.Case No. 286 of 2019(G.R.No. 1364 of 2019).

3. It is submitted that the petitioners have been falsely implicated and from the F.I.R. itself it is evident that the informant's daughter had gone away with co-accused Sujeet Ram on motor-cycle. No role has been assigned to the petitioners in connection with taking away the informant's daughter. The petitioners have been implicated merely because



they happen to be the parents of the aforesaid co-accused Sujeet Ram. The informant's daughter is a major, her date of birth being 12.02.2001, while the son of the petitioners is a minor, his date of birth is 11.08.2002 (Annexure 2 and 2/A, respectively). The petitioners claim clean antecedents.

4. Be that as it may, in the event of petitioners' arrest or surrender before 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 bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 286 of 2019(G.R.No. 1364 of 2019), 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) Petitioner no.1 shall remain physically present in court on each and every date during trial. Petitioner no.2 shall be well represented in Court on each and every date during trial, except as and when directed by the learned court below to be physically present 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)

HR/-

U		T	
---	--	---	--

