

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75727 of 2019

Arising Out of PS. Case No.-481 Year-2018 Thana- CHAPRA TOWN District- Saran

1. Yogendra Rai Son of Shiv Pujan Rai Resident of Village - Madarpur, P.S.- Masrakh, Distt - Saran.
2. Tetra Devi Wife of Yogendra Rai Resident of Village - Madarpur, P.S.- Masrakh, Distt - Saran.
3. Kamlesh Rai Son of Yogendra Rai Resident of Village - Madarpur, P.S.- Masrakh, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in **Chapra Town P.S. Case No. 481 of 2018**, registered for the offence punishable under Section 366A of the Indian Penal Code.

As per prosecution case, Shailesh Kumar who is the son of petitioner no. 1 and petitioner no. 2, is alleged to have kidnapped the daughter of the informant. When the informant went to the house of petitioners to enquire about his daughter; petitioners started abusing him.

It is submitted by learned counsel appearing on behalf



of petitioners that petitioners are innocent. Save and except allegation of abuse, there is nothing against these petitioners. Petitioners have falsely been implicated in this case, as they are relative of Shailesh Kumar, who is said to have kidnapped the informant's daughter. Shailesh Kumar has already been arrested. Petitioners have got clean antecedent.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Saran at Chapra** in connection with **Chapra Town P.S. Case No. 481 of 2018**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be



cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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