

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67314 of 2019

Arising Out of PS. Case No.-209 Year-2019 Thana- TEKARI District- Gaya

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1. Arvind Yadav, Son of Raghunandan Yadav, Resident of Village - Alpa, P.S.- Konch, Distt.- Gaya.
 2. Dharmendra Yadav, Son of Sidhnath Yadav, Resident of Village - Ghanghaila, P.S.- Tekari, Dist.- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramakant Sharma, Sr. Advocate
For the Opposite Party/s : Mr.Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-01-2020 Heard learned senior counsel for the petitioners and
learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Tekari P.S. Case No. 209 of 2019 registered for the offences punishable under Sections 363, 365/34 of the Indian Penal Code.

Learned senior counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned senior counsel submits that the petitioners have not committed any offence as alleged in the FIR.

Learned A.P.P. for the State has opposed the prayer for bail.



Considering the facts and circumstances of the case and the submission of learned senior counsel that the allegation of committing theft of child is against the wife of petitioner no. 1, however, the petitioner no. 1 being husband and petitioner no. 2 being brother of wife of petitioner no. 1 have been arrested because the recovery of child was made from the house, further submission that so far as these petitioners are concerned, there is no allegation of their involvement and that the child has already been recovered immediately after the alleged occurrence as also that these petitioners have no criminal antecedent, let the petitioners above named be released on bail in connection with Tekari P.S. Case No. 209 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIth, Gaya, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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