

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25941 of 2021

Arising Out of PS. Case No.-339 Year-2020 Thana- MAHNAR District- Vaishali

1. SOHRAIYI PASWAN Son of Kamal Paswan Resident of Village - Rami Bigha, P.S.- Asthawan, Distt.- Nalanda.
2. SONI DEVI W/o Sohraiya Paswan Resident of Village - Rami Bigha, P.S.- Asthawan, Distt.- Nalanda.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-11-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Mahnar P.S. Case No. 339 of 2020 registered for the offences punishable under Sections 363, 365 of the I.P.C.

According to prosecution case, on 18/19.10.2020 the informant was sleeping along with his wife and son. Thereafter, unknown person entered into the house and took away his child aged about ten months by unlocking the door of the house.



When the informant awoke, he did not find his son and mobile there.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Petitioners are not named in the FIR and they have been dragged in this case only on the basis of confessional statement of co-accused Satish Kumar. Charge sheet has been submitted against the petitioners. Petitioners are in custody since 10.12.2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released 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, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 339 of 2020, subject to the following conditions:-

1. 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 on their absence



on two consecutive dates without sufficient reason,
his bail bond shall be cancelled by the Court below.

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

3. And further condition that the court
below shall verify the criminal antecedent of the
petitioners and in case at any stage it is found that the
petitioners have concealed their criminal antecedent,
the court below shall take step for cancellation of bail
bond of the petitioners. However, the acceptance of
bail bonds in terms of the above-mentioned order
shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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