

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26504 of 2011**

1. Hari Shankar Ray, son of late Rajmani Ray
  2. Lal Bihari Ray
  3. Chandan Ray  
Both sons of Harishankar Ray.
  4. Uma Ray, son of late Rajmani Ray
  5. Santosh Ray, son of Uma Ray
  6. Savitri Devi, wife of Uma Ray
  7. Satya Narayan Ray, son of late Dharmu Ray
- All resident of village – Kamalpur, P.S. – Azam Nagar, Distt. –  
Katihar.

----- Petitioners.

Versus

The State of Bihar

----- Opposite Party

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03. 30.09.2011

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

All the seven petitioners, apprehending their arrest in connection with Azamnagar P.S. Case No. 10 of 2011, for offences under Sections 147/149/376/452/380/498(A)/364/506 of the Indian Penal Code, are named accused in this case instituted on the basis of complaint case no. 40/2011 with allegation of abducting husband of the complainant on 05.10.2010, since then he is still traceless.

Submission is that undisputedly, there was some sweet relationship between complainant and son of petitioner no. 1. Subsequently, both married and from the month of October 2010, victim is traceless for which at the instance of petitioner no. 3, Ajamnagar P.S. Case No. 166/2010 was instituted on 05.12.2010. Much thereafter, instant application

was instituted on filing complaint case with imaginary allegations leveled against the petitioners. Investigation in both the cases is going on and the victim is still traceless but nothing specific could be pointed out stating the different roles played by the petitioners indicating their hands in the episode.

Considering the facts and circumstances of the case, in the event of their arrest or surrender within a period of four weeks, till conclusion of investigation/ submission of charge-sheet, let the above-named petitioners be enlarged on bail on furnishing bail bond of sum of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar, in connection with Azamnagar P.S. Case No. 10/2011, subject to condition under section 438(2) of the Code of Criminal Procedure, and additional condition, except petitioner no. 6, to remain physically present before the court below till submission of charge sheet and on the dates fixed and in the event of failure on two consecutive dates, without any reasonable explanation, the privilege granted shall be deemed to be cancelled.

*Rajeev/-*

**( Akhilesh Chandra, J.)**