

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37478 of 2014**

Arising Out of PS.Case No. -107 Year- 2014 Thana -BARARI District- KATIHAR

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1. Radha Devi, Wife of Naresh Mandal
2. Naresh Mandal, Son of Mahavir Mandal
3. Rameshwar Mandal, Son of Late Sitaram Mandal,  
Resident of Village - Madhubani, P.S.- Barari, (Semapur), District -  
Katihar.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate  
For the Opposite Party/s : Mr. Md. Fahimuddin(APP)

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**ORAL ORDER**

3      26-03-2015                      This anticipatory application has been filed by three petitioners, who figured as accused in Barari (Semapur) P.S. Case No.107 of 2014. The offences are referable to Sections 363, 366A, 372 and 120B of the I.P.C. Two other accused are also named in the F.I.R. All of them are said to have kidnapped the grand-daughter of the informant from the School. A.B.P. No.691 of 2014 filed by the petitioners for grant of anticipatory bail in the court of Sessions Judge, Katihar was rejected on 26.8.2014. Hence this application for grant of anticipatory bail under Section 438 of Cr.P.C.

Heard learned counsel for the petitioners and the learned  
A.P.P. for the State.

The allegation against the petitioners is serious in nature.

It is submitted that during the pendency of this petition, third petitioner, namely, Rameshwar Mandal, was arrested. Hence, this application on his behalf is dismissed as infructuous.

Considering the nature of allegation, this Court is not inclined to grant bail to the second petitioner, namely, Naresh Mandal. This application on his behalf is dismissed.

However, since the first petitioner, namely, Radha Devi, happens to be a woman, she, in the event of her arrest, is directed to be released on bail on furnishing bail-bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar, in connection with Barari (Semapur) P.S. Case No.107 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further subject to the condition that she shall appear before the concerned Police Station on 6<sup>th</sup> of April, 2015 and co-operate with the police in the investigation.

**(L. Narasimha Reddy,CJ)**

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