

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29395 of 2015

Arising Out of PS.Case No. -12 Year- 2009 Thana -KATEYA District- GOPALGANJ

- =====
1. Ashok Rai S/o Late Bishun Rai
 2. Arti Devi W/o Hare Ram Rai
- Both Resident of Village Rasauti, P.S. Kateya, District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Rai
For the Opposite Party/s : Mr. Parmanand Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 30-07-2015 This petition has been listed along with Cr. Misc. No. 30206 of 2015 but it is pointed out that Cr. Misc. No. 30206 of 2015 ought to have been listed along with Cr. Misc. No. 29398 of 2015 which has been listed at Sr. No. 11 of first Admission.

Accordingly, Cr. Misc. No. 30206 of 2015 is separated from this petition and it is ordered that the aforesaid Cr. Misc. No. 30206 of 2015 be placed along with Cr. Misc. No. 29398 of 2015 when the aforesaid petition is taken up for hearing.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Kateya P.S. Case No. 12 of 2009 registered for the offences punishable under Sections 363, 366 A of the Indian Penal Code.

The present case was lodged in the year 2009 and it was specifically alleged that it was co-accused, Piyush Kumar who took the victim on 10.01.2009 but on 24.03.2015 i.e. near about after six years of the alleged occurrence the statement of victim was recorded under Section 164 of the Cr.P.C. in which she stated that petitioners also played role in her kidnapping as well as in her confinement at Delhi. It appears that the victim was brought to Gopalganj by the co-accused, Piyush Kumar and while they were stayed in a hotel, police came there and nabbed the victim as well as co-accused, Piyush Kumar, who as per information, is in jail custody.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court

concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in Kateya P.S. Case No. 12 of 2009 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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