

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32421 of 2015

Arising Out of PS.Case No. -465 Year- 2014 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Devkali Devi W/o Sheocharan Dhangar
2. Amresh Dhangar S/o Ramkeshan Dhangar
3. Pappu Dhangar S/o Mansoor Dhangar All Resident of Mohalla ITI,
Dhangar Toli, Jai Prakash Nagar, P.S. Bettiah Mufassil, District West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 04-11-2015 Heard learned counsel for the petitioners, learned
A.P.P. for the State as well as learned counsel for the informant.

The petitioners apprehend arrest in a case
registered for the offences punishable under sections 448, 341,
323, 307, 385, 504, 364/34 of the Indian Penal Code.

Case diary in the present case was called for
which has since been received.

Learned counsel for the petitioners submits that
the petitioners have been implicated in connection with the present
case only on suspicion and there is no cogent material in the case
diary to support the allegation. Learned counsel further submits

that a similarly situated co-accused Laddu Dhangar has been extended the privilege of regular bail.

Learned counsel for the informant submits that the entire family of Laddu Dhangar, namely, Devkali Devi, Amresh Dhangar and Pappu Dhangar are involved in the kidnapping of the son of the informant. He further produces the statement made by the victim boy under section 164 Cr.P.C. who was subsequently recovered after 14 months of the occurrence. Such statement clearly reveals that Laddu Dhangar along with Amresh Dhangar had induced him to go towards Bazar Samiti and in the way he was kidnapped and kept confined for over 14 months.

Considering the aforementioned facts and circumstances of the case and the statement of the victim boy under section 164 Cr.P.C., I am not inclined to grant privilege of anticipatory bail to petitioner no. 2 Amresh Dhangar in connection with Bettiah Mufassil P.S. Case No. 465 of 2014 pending in the court of the learned Chief Judicial Magistrate, West Champaran at Bettiah. His prayer for anticipatory bail is, accordingly, rejected.

So far as petitioner nos. 1 and 3, namely, Devkali Devi and Pappu Dhangar are concerned, there is no cogent material in the case diary so as to indicate their involvement in the present kidnapping. Moreover, even in the statement made under

section 164 Cr.P.C. by the victim boy, no reference has been made of either Deokali Devi or Pappu Dhangar.

In view of such circumstances of the case, petitioner nos. 1 and 3, above named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall be enlarged 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, West Champaran at Bettiah in connection with Bettiah Mufassil P.S. Case No 465 of 2014 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Anjana Mishra, J)

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