

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47334 of 2014

Arising Out of PS.Case No. -47 Year- 2014 Thana -JOGBANI District- ARRARIA

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1. Manorma Devi Wife of Raj Kumar Bhagat
2. Raj Kumar Bhagat Son of Late Laxman Bhagat
3. Manoj Kumar Bhagat Son of Late Laxman Bhagat All residents of
Village - Beerpur Chowk, Police Station - Jogbani, O.P. Beerpur, District -
Araria. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

5 25-06-2015 Heard the Counsel for the petitioners and Mr. Dayal,

APP for the State.

For an occurrence committed on 25.4.2014, an F.I.R. was lodged by the father of the victim girl on 1.5.2014 vide Jogbani (Bathnaha) P.S. Case No. 47 of 2014 registered under Sections 363 and 365/34 of the Indian Penal Code alleging therein that while his minor daughter had gone away from home, the son of petitioner nos. 1 and 2 forcibly kidnapped/abducted her. When contacted, the mother of the boy disclosed that he might have gone to Mama's place. The allegation further is that the Mama of Chandan Kumar dilly dallied the matter and ultimately the girl was not restored. Accordingly, the F.I.R. was lodged.

Contention of the petitioners is that they are parents and uncle of Chandan Kumar who alleged to have kidnapped/abducted victim girl of the informant. In fact, they are

also in search of Chandan Kumar and sanha and complaint had been lodged about the missing of Chandan Kumar. The petitioners do not carry any criminal antecedent.

Considering the aforesaid, I am inclined to privilege the petitioners with anticipatory bail. In the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria in Jogbani (Bathnaha) P.S. Case No. 47 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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