

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10014 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -MAKHDUMPUR District- JEHANABAD

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1. Shailesh Kumar @ Shailesh Prasad son of Mukhdeo Yadav
2. Niraj Kumar @ Niraj son of Shailesh Kumar @ Shailesh Prasad Both
Residents of village- Timbalpur, P.S.- Kako Pali, District- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-03-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Makhdumpur P.S. Case No.15 of 2016, registered for the offence punishable under Section 365/34 of the Indian Penal Code.

Allegation has been made that the victim was kidnapped for the purposes of marriage. In the FIR the name of the petitioner No.1 is surfaced but in the statement of the victim recorded under Section 164 of the Cr.P.C. allegation has been concentrated only on petitioner No.2 of thrashing and making the victim senseless and forcibly got the marriage solemnized with his sister.

Learned counsel for the petitioner submits that the statement

of the victim recorded under Section 164 of the Cr.P.C. does not indicate the involvement of the petitioner No.1 in the crime and allegation has been made only against the petitioner No.2.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let the petitioner No.1-Shailesh Kumar @ Shailesh Prasad, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the C.J.M., Jehanabad, in connection with Makhdumpur P.S. Case No.15 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner No.1 is also directed that whenever the police will call the petitioner, he will remain present for interrogation and investigation and will all through co-operate in the investigation of the case.

So far as the bail application for petitioner No.2 is concerned, the same is rejected.

(Shivaji Pandey, J)

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