

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12653 of 2016**

Arising Out of PS.Case No. -528 Year- 2014 Thana -BARHARIA District- SIWAN

- =====
1. Ram Surat Sah Son of late Suraj Sah
  2. Gyanti Devi@Shanti Devi wife of Ram Surat Sah
  3. Roopesh Kumar@ Prabhakar Kumar Son of Ram Surat Sah
  4. Geetanjali Kumari@ Munni Daughter of Ram Surat Sah All are resident of Village- Uttarpatti , PS G.B. Nagar, District Siwan.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Jitendra Kr.Roy 1(App)

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
ORAL ORDER

2 01-04-2016

Heard the counsel for the petitioners and the State.

Four petitioners herein seek anticipatory bail in connection with Barharia P.S. case no. 528 of 2014 registered under Section 366A/34 of the IPC on the written statement of maternal grand father of the victim.

F.I.R. alleged that the victim aged about 17 to 18 years was kidnapped by the accused persons.

Contention of the petitioners is that they are not directly related to co-accused Rana Pratap Thakur who is the main culprit. Even the lady members have been made accused just to put pressure. There was love affairs between the main accused

and the victim girl.

Learned APP, after placing the impugned order, submits that the victim girl in her statement has alleged sexual harassment against petitioner no.3. It does not appear from FIR that the petitioners are directly related to accused Rana Pratap Thakur.

Considering the facts and circumstances of the case, the prayer made on behalf of the petitioner no.3, namely, Roopesh Kumar @ Prabhakar Kumar is rejected. He may surrender and seek regular bail before the Court below.

So far as the petitioner nos. 1, 2 and 4, namely, Ram Surat Sah, Gyanti Devi @ Shanti Devi and Geetanjali Kumari @ Munni respectively are concerned, this Court is inclined to extend them the privilege of anticipatory bail. Let the petitioner nos. 1, 2 and 4, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, 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 learned Chief Judicial Magistrate, Siwan in connection with Barharia P.S. case no. 528 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-



- (i) One of the bailors shall be the own/close family member of the petitioner(s).
- (ii) As soon as the charges are framed the petitioner(s) shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner(s) and secure their arrest in accordance with law.

**(Kishore Kumar Mandal, J)**

Shyam/-

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