

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27824 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -MATIHANI District- BEGUSARAI

=====

1. Phulena Mishra @ Fulena Mishra @ Chandradeo Jha, Son of Late Surjnaranayan Mishra.

2. Aasha Devi, Wife of Phulena Mishra @ Fulena Mishra @ Chandradeo Jha,

Both residnet of Village- Malahipur, (O.P. Chakia), P.S- Barauni, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

8 16-12-2016 Heard learned counsel for the petitioners, learned counsel for the Opposite Party No. 2 and learned counsel appearing on behalf of the State.

The petitioners being the father and mother of the accused are apprehending their arrest in connection with Matihani P.S. Case No. 43 of 2016 for the offences registered under Sections 363, 366(A) and 34 of the Indian Penal Code.

Diary of the present case was called for, which has since been received.

After hearing learned counsel for the parties, it appears that there were love affairs between the victim and the said Dilip



Mishra son of the present petitioners.

Learned counsel for the petitioners submits that there is no cogent material to support the case of the informant that in fact, these two petitioners have been helping the son, namely, Dilip Mishra and were part of the conspiracy of kidnapping her.

Learned counsel for the opposite party no. 2, however, submits that there was continuous conversation between the boy and the girl and these two petitioners have helped their son in escaping with the victim girl, who has since been traceless and has not been recovered till date. As such, the petitioners may not be extended the privilege of anticipatory bail.

Learned counsel for the State after perusal of the case diary submits that save and except the suspicion that these two petitioners had also conspired and facilitated to escape the boy and the girl together, there is no further cogent material in the case diary to support the same.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Judicial Magistrate 1st Class, Begusarai, in connection with Matihani P.S. Case No. 43 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

Jagdish/-

U		T	
---	--	---	--

