

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48084 of 2016

Arising Out of PS.Case No. -279 Year- 2016 Thana -UDWANTNAGAR District- BHOJPUR

=====

1. Kamakhaya Ram Son of Ashanand Das
2. Asha Devi Wife of Kamakhaya Ram
3. Kundan Kumar Son of Kamakhaya Ram All are resident of Village -
Chhotaki Sasaram, P.S- Udwant Nagar (Gajrajganj O.P) District Bhojpur.
.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Mr. M. Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 14-12-2016 Heard the Counsel for the petitioners and Mr. Dayal,

APP for the State.

As prayed, the application on behalf of petitioner no.
1, namely, Kamakhaya Ram is dismissed as the same has become
infructuous.

Petitioner nos. 2 and 3 are mother and younger
brother respectively of co-accused Chandan Kumar who is alleged
to have eloped with the minor daughter of the informant. They
pray for grant of anticipatory bail in Udwant Nagar P.S. Case No.
279 of 2016 registered under sections 366A/34 of the Indian Penal
Code.

The informant suspects hands of other family
members also in the commission of crime. It is submitted that



father of Chandan Kumar has lodged a case on 04.07.2016 (Annexure-2) alleging that his son was kidnapped by the informant of the present case for the purpose of his forceful marriage with the daughter. Petitioners are only suspected to have helped co-accused Chandan Kumar in commission of the crime. They do not have any criminal antecedent.

Considering the above, in the event of arrest or surrender in the Court below within four weeks, Petitioner nos. 2 and 3 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 Chief Judicial Magistrate, Bhojpur at Ara in Udwant Nagar P.S. Case No. 279 of 2016 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 petitioners.

(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)

Pankaj/-

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

