

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44736 of 2016

Arising Out of PS.Case No. -166 Year- 2016 Thana -RAJAUN District- BANKA

1. Anil Poddar.

2. Bodh Narayan Poddar @ Bodhi Poddar.

Both sons of Mahabir Poddar, residents of Village-Katiyama, P.S.- Rajoun, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 28-10-2016

Heard the parties.

This application, for grant of anticipatory bail, arises out of Rajoun P.S. Case No. 166 of 2016, disclosing offences under Sections 363 and 366A read with Section 34 of the Indian Penal Code.

It is alleged that co-accused, namely, Vikash Kumar, kidnapped the daughter of the informant for the purpose of marriage. The petitioners are co-villagers of said Vikash Kumar.



Learned counsel for the petitioners has submitted that as a matter of fact, the said victim girl and co-accused, namely, Vikash Kumar, have married each other and they have appeared before the Court of learned Sessions Judge, Ludhiana, where they were residing, and that they have filed an application before the said court that they needed adequate protection as their family members are averse to their marriage.

Learned counsel for the petitioners has further submitted that the petitioners shall cooperate with the police in course of investigation and they will furnish clue to the police as to the place where the alleged victim girl and co-accused, namely, Vikash Kumar, are presently residing.

Considering the submission, as above, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Banka**, in connection with **Rajoun P.S. Case No. 166 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the

petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

It is indicated that if the petitioners, above named, fail to cooperate with the police in course of investigation and they do not assist the police in recovery of the alleged victim girl, the prosecution shall be at liberty to approach this Court for cancellation of their bail, granted by virtue of the present order.

(Chakradhari Sharan Singh, J.)

Praveen-II/-c

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