

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36794 of 2016

Arising Out of PS.Case No. -9 Year- 2016 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

1. Bindu Kumar S/o Sheo Singh
2. Sharda Devi W/o Sheo Singh Both Resident of Villae- Sukhlahiya, P.S
Darpa, District East Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar

For the Opposite Party/s : Mr. Smt Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-09-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Darpa Police Station Case No. 09 of 2016,
disclosing offences under Section 366 of the Indian Penal
Code.

The complaint case filed by the informant is the
basis for registration of the First Information Report.

Allegedly, the petitioners abducted the wife of
the informant when the informant was away to Nepal for
earning his livelihood.

Learned Counsel appearing on behalf of the
petitioners has submitted that petitioner no. 1 is the son of



petitioner no. 2 and earlier also, a false case was lodged by the informant against co-accused Sunil Singh, making similar allegation, which was found to be false upon investigation by the police. He has also submitted that in the said case, statement of the victim was recorded under Section 164 of the Code of Criminal Procedure, 1973, wherein she had stated that she had gone to her parental house out of her own volition.

Considering the above submission, this application is allowed.

Let the petitioner, namely, Bindu Kumar and Sharda Devi, 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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari, in connection with Darpa Police Station Case No. 09 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.

Prabhakar Anand/-

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(Chakradhari Sharan Singh, J.)