

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56196 of 2015

Arising Out of PS.Case No. -490 Year- 2014 Thana -SHEKHPURA District- SEKHPURA

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1. Bambam Singh, Son of Late Rajo Singh
 2. Asheesh Singh @ Pochi Singh, Son of Late Rajo Singh
 3. Bashishth Singh @ Jila Jeet Singh, Son of Late Rajo Singh All resident of Village- Bhadauns, P.s.- Sheikhpura, District- Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-02-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 363 and 364 of the Indian Penal Code.

Allegation against the petitioners is that they had kidnapped son of the informant.

It is submitted on behalf of the petitioners that they have got no criminal antecedent. Both parties are close agnate. From perusal of 164 Cr. P. C, statement of the victim boy it is evident that he has not named petitioner nos. 1 and 2. F.I.R. has been instituted after a period of 3 ½ months from the alleged date of occurrence.

On behalf of the State and informant, it is submitted that victim boy has named petitioner no. 3 in his 164 Cr. P.C. statement.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to petitioner no. 3, same is rejected.

Any how, if petitioner no. 3 surrenders in the court below

within a period of six weeks from today and prays for regular bail, same shall be considered and disposed of on its own merit without being prejudiced by this order.

So far as petitioner nos. 1 and 2 are concerned, since they have not been named by victim, their prayer for anticipatory bail is allowed.

Let the above named petitioner nos. 1 and 2, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura, in Sheikhpura (Sirari) P.S. Case no. 490 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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