

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56575 of 2015

Arising Out of PS.Case No. -445 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

- =====
1. Golden @ Rishikesh Singh @ Bikey Singh Son of Sri Vijay Singh R/o Village Asni Bishanpur, P.S. and District-Baka, wrongly mentioned in FIR as Village-Sadipur, P.S. Banka, District Banka
 2. Dablu Singh @ Randhir Singh Son of Sri Rudal Prasad Singh R/o Village Asni Bishanpur, P.S. and District-Baka
 3. Chandani Kumari @ Chadni Kumari D/o Anant Singh R/o Village Saidpur,P.S. Banka, District -Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. P.K. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 19-01-2016 Heard counsel for the petitioners and Mr. Dayal APP for the State.

The 03 petitioners herein have been cited as accuseds of Kotwali (Tilkamanjhi) P.S. Case No. 445 of 2015, registered under section 365 IPC. They seek anticipatory bail.

While the boy, who is said to be 16 years of age, was residing with the informant (Mausa), it is alleged that the accused persons forcibly kidnapped him. On retrieval, the statement of the victim was recorded under section 164 Cr. P.C. in which he supported the allegation.

The contention of the petitioners is that the boy also filed an application stating that he married voluntarily with one Priyanka Kumari. The allegations are concocted. The statement of Priyanka Kumari was also recorded to the same effect. Petitioner no.3 is an unmarried daughter of Anant Singh who has absolutely no role to play in the commission of crime.

Learned APP, on the other hand, points out that the victim boy was assessed at 16 years of age, whereas the girl was also found minor.

Considering the facts and circumstances of the case, I am not persuaded to privilege petitioner nos.1 and 2, namely, Golden @ Rishikesh Singh @ Bikey Singh and Dablu Singh @ Randhir Singh, respectively with anticipatory bail. Their prayer for bail is accordingly rejected.

So far as petitioner no.3, namely, Chandani Kumari @ Chandni Kumari is concerned, considering the fact that she is unmarried daughter and her presence might not have encouraged the other accused persons to commit the crime, I am inclined to extend her privilege of anticipatory bail. Accordingly, in the event of arrest/surrender within four weeks from today, she shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction CJM,

Bhagalpur in connection with Kotwali (Tilkamanjhi) P.S. Case No. 445 of 2015 on conditions that one of the bailors shall be her own/close family member. She shall appear in person on each date fixed at the trial. Failure in such appearance on two consecutive dates, shall lead to cancellation of her bail bond.

(Kishore Kumar Mandal, J)

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