

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23996 of 2017

Arising Out of PS.Case No. -218 Year- 2016 Thana -DELHA District- GAYA

- =====
1. Chanchala Devi, wife of Ajeet Gosai,
 2. Ajeet Gosai, son of Krishna Gosai, R/o Mohalla- Dhania Bagicha near Mahadeo Asthan Mandir, P.S.- Delha, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 01-07-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Delha P.S. Case No.218 of 2016 instituted for the offence under Section(s) 363, 366-A/34 Indian Penal Code.

As per the written report, daughter of the informant was kidnapped by Raju Gosai and was taken on the motorcycle of petitioner No.2.

It has been submitted that petitioner No.1 is sister and petitioner No.2 is brother-in-law of Raju Gosai. There is no allegation of any specific overt act against them. Statement of the victim girl has been recorded under Section 164 Cr. P. C., which is annexed as Annexure-2, wherein, she has stated that she was



not kidnapped and she has love affair with Raju Gosai.

The girl has stated her age as 14 years, but the Court below has assessed her age as 17 years.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Delha P.S. Case No.218 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the ACJM VII, Gaya, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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