

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45719 of 2017

Arising Out of PS.Case No. -103 Year- 2017 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jagdish Das, son of Mithai Das,
 2. Chandra Das @ Chandan Das @ Chandra Dar, son of Jagdish Das,
 3. Pratush Das @ Paritosh Das, son of Jagdish Das,
 4. Gaurishankar Das, son of Harikamal Das @ Kamal Das, all R/o Village-
Basantpur, P.S.- Motihari Muffasil, Distt.- East Champaran,
 5. Shamul Das @ Shayam Das @ Shamal Das, son of late Gopal Das , R/o
village- Dharmuha Colony, P.S.- Motihari Muffasil, Dist. East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 03-10-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in Pipra Kothi P.S.

Case No.103 of 2017 instituted for the offence under Section(s)
346, 364, 365/34 Indian Penal Code.

It has been submitted on behalf of the petitioners
that it is a case of love affair between the son of the informant
and daughter of petitioner No.1-Chandralata Kumari. In the
instant case, Informant has alleged that her son was kidnapped by
these petitioners.

Counsel for the petitioners has submitted that



petitioner No.1 has filed Chhatauni P.S. Case No.130 of 2017 against the son of the informant and others making allegation that son of Informant, Akash Kumar, has kidnapped his daughter-Chandralata Kumari. In the aforesaid case, victim girl-Chandralata Kumari appeared and gave statement under Section 164 Cr. P.C., which has been annexed as Annexure-3, wherein, she has stated that she has married with Akash. The victim girl in the aforesaid statement has stated her age as 19 years and the Court has also assessed her age as 19 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 Pipra Kothi P.S. Case No.103 of 2017, 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 Chief Judicial Magistrate, East Champaran, Motihari, 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.

JA/-

(Sanjay Priya, J)

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