

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68 of 2017

Arising Out of PS.Case No. -72 Year- 2014 Thana -GAIGHAT District- MUZAFFARPUR

Vijay Rai, Son of Gyani Rai, resident of Village- Jamalpur Kodni, P.S.
Gaighat, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.218 of 2017

Arising Out of PS.Case No. -72 Year- 2014 Thana -GAIGHAT District- MUZAFFARPUR

Munna Rai, son of Sanjivan Rai, Resident of Village - Jamalpur Kodni, P.S.
Gaighat, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.68 of 2017)

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate.

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

(In Cr.Misc. No.218 of 2017)

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate.

For the Opposite Party/s : Smt. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 03-02-2017 Heard learned counsel for the petitioners and the

State.

The petitioners seek anticipatory bail in a case

instituted for the offence under Sections 363 and 366(A) of the

Indian Penal Code.

It has been submitted that in the First Information



Report the informant alleged that Umesh Rai along with his other family members kidnapped her minor daughter. Umesh Rai has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 21.9.2015 passed in Cr. Misc. 38432 of 2015.

The statement of victim girl under Section 164 Cr. P.C. has been recorded wherein she has stated that the petitioners took her on motorcycle and left in the house of Umesh Rai and Umesh Rai confined her in his house for four days and, thereafter, he took her in Banauli and, then left her near Zero mile from where she reached her house.

In this manner, there is no any allegation of overt act against the petitioners either in the written report or the statement under Section 164 Cr. P.C. It has been submitted that a compromise petition has also been filed in the lower court which is annexed as Annexure-2.

Considering the facts and circumstances of the case, let the petitioners above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Gaighat P.S. Case No. 72 of 2014, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Amit Kumar Dixit, Judicial Magistrate, 1st



Class, Muzaffarpur, subject to the conditions as laid down under
Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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