

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39354 of 2017

Arising Out of PS.Case No. -77 Year- 2013 Thana -KOCH District- GAYA

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1. Baban Sharma
 2. Bhola Sharma

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in Konch
P.S.Case No. 77 of 2013 registered for offences punishable under
Sections 366/34 of the Indian Penal Code.

The informant in his written report submitted before the
S.H.O.of Konch P.S. has alleged that her daughter, Ritu Kumari @
Dauli @ Deepa Kumari became traceless with cash and 10 bhar
gold. It is also alleged that under planned conspiracy, her daughter
was kidnapped by the eight named persons.

Learned counsel for the petitioner submits that the
petitioners are neither named in the F.I.R. nor any specific
allegation against the petitioners. The petitioner No. 1 has three
brothers and all are employed in different places and petitioner
No. 2 is the son of petitioner No.1 and their name appeared in the
statement of daughter of informant given Under Section 164



Cr.P.C.. He further submits that the petitioner No. 1 is Uncle of the girl and he had chided her which caused annoyance and so she implicated the petitioners with false allegation. It is further submitted that the case has been compromised and a compromise petition has been filed before Court below.

Learned Additional Public Prosecutor opposes the prayer for bail.

Considering the facts and circumstances and nature of allegation, the prayer of Anticipatory bail of petitioners Baban Sharma and Bhola Sharma is allowed and in the event of their arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each in connection with Konch P.S.Case No. 77 of 2013 to the satisfaction of Shri T.P. Singh, learned Judicial Magistrate, 1st class, Gaya.

(Sanjay Kumar, J)

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