

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41271 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -DARAUNDHA District- SIWAN

- =====
1. Sonu Kumar @ Bhuvar, son of late Ramjeet Prasad
 2. Brij Kuar @ Brij Devi, w/o Late Ramjeet Prasad
- Both residents of village Rukundipur, P.S. Daraunda, Dist. Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-09-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Daraunda P.S. Case No. 22 of 2017 instituted for the offence under Sections 363 and 366A of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the victim girl has given her statement under Section 164 Cr. P.C. wherein she has stated that she voluntarily went to Chapra and she has not been kidnapped by this petitioner.

In the written report the informant has raised suspicion against the petitioner of kidnapping when she went to bring Admit Card from the school.

In view of the statement of the victim girl recorded



under Section 164 Cr. P.C. that she had gone to Chapra voluntarily and has not been kidnapped by the petitioner, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Daraunda P.S. Case No. 22 of 2017, they 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 learned Chief Judicial Magistrate, Siwan, 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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