

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38922 of 2017

Arising Out of PS.Case No. -55 Year- 2014 Thana -AURAI District- MUZAFFARPUR

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1. Vijay Das, son of Ram Pratap Das,
2. Vinay Das, Son of Ram Pratap Das, Both resident of Village- Umapat
Basant, P.S.- Aurai, District- Muzaffarpur.

.... Petitioners.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioners : Mr. Kumar Kaushik

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 22-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Aurai P.S. Case No. 55
of 2014 instituted for the offence under Sections-366, 366A, 323,
354/34 of the Indian Penal Code.

It has been submitted that petitioners are elder brothers of
Dinesh Das.

There is allegation in the complaint against these petitioners
that they kidnapped the daughter of the informant with intention to
perform her marriage with Dinesh Das. The victim girl in her statement
u/S 164 of the Cr.P.C. has stated that she has been taken by these
petitioners. She knew Dinesh Das, who used to read with her.

From the statement of the victim u/S 164 of the Cr.P.C., it
appears that the victim girl was knowing both these petitioners and she
has moved with these petitioners for several days.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Aurai P.S. Case No. 55 of 2014 to the satisfaction of learned Assistant Chief Judicial Magistrate-cum-Sub Judge-IV, Muzaffarpur subject to condition as laid down u/S 438(2) of the 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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