

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2279 of 2017

Arising Out of PS.Case No. -115 Year- 2016 Thana -NIMCHAKBATHANI District- GAYA

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1. Vishnu Kumar, son of Baliram Sao,
 2. Raghunandan Sao, son of Late Kali Sao,
 3. Ranjan Kumar, son of Baliram Sao,
 4. Baliram Prasad @ Baliram, son of Late Kali Sao,
 5. Mithun, son of Baliram Sao,
 6. Gurudeo, son of Late Kali Sao,

All are resident of Village- Rehua, Police Station- Neemchak
Bathani, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 21-03-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Neemchak Bathani Police Station Case No. 115 of 2016,
disclosing offences under Sections 363 and 366 of the Indian
Penal Code.

Learned counsel for the petitioners has submitted
that initially these petitioners have not been named in the F.I.R.
but on the statement of victim recorded under Section 164 Cr.
P.C. name of these have surfaced. No overt act has been
attributed them, which is evident from the statement of the



victim. Moreover, the alleged occurrence took place on 10.09.2016 and the F.I.R. has been instituted after lapse of 10 days on 20.09.2016, which evident from the F.I.R. itself. The delay caused in lodging the F.I.R. itself falsify the prosecution version. Hence, the petitioners, who are of clean antecedent, deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on 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-X, Gaya, in connection with Neemchak Bathani Police Station Case No. 115 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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