

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38584 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -NANHPUR District- SITAMARHI

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1. Dular Das @ Rajesh Das son of Upen Das
2. Madan Das @ Madan Kumar Das son of Madhesar Das both residents of
Village - Choti Sauraiya, P.S.- Nanpur, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-08-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Nanpur P.S. Case No. 99 of 2017 instituted for the offence under Sections-363, 366A/34 of the Indian Penal Code.

As per allegation in the written report, the grand daughter of the informant was kidnapped by these petitioners, when she had gone to see the fair. The victim was recovered and her statement u/S 164 of the Cr.P.C. was recorded. In her statement, the victim girl has stated that she has not been kidnapped. She had, voluntarily, gone to the house of her Nani with Rajesh Das @ Dular Das. The case has been lodged by her grand father in misunderstanding.

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 Nanpur P.S. Case No. 99 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (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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