

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51754 of 2017

Arising Out of PS.Case No. -448 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Meera Devi, wife of Birendra Sah, &
 2. Birendra Sah, son of Geni Sah, both resident of village-Nimoeya, P.S.-
Ghorasahan, District-East Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Binod Kumar 3, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 01-11-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Muffasil P.S.**

Case No.448 of 2016 instituted for the offence under Section(s)
366-A/34 Indian Penal Code.

There is allegation in the written report that daughter
of the Informant was kidnapped by Mukesh Kumar along with 2-
3 other persons.

Petitioners are parents of Mukesh Kumar. The
victim girl has given her statement under Section 164 Cr.P.C.,
wherein, she has not levelled allegation of any specific overt act
against the petitioners. In the written report also, there is no
allegation of any specific overt act against the petitioners.



In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Muffasil P.S. Case No.448 of 2016**, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Motihari, East Champaran**, 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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