

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42208 of 2018

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1. RAMOTAR MANDAL @ RAMAVATAR MANDAL, S/o Late Harihar Mandal, R/o Vill.- Abhiya Tola Basaitha, P.S.- Chousa, District-Madhepura.

2. Binod Mandal S/o Late Dashrath Mandal, R/o Vill.- Lakshmipur Bhatta, P.S.- Barhara Kothi, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 19-07-2018

Heard both sides.

The petitioners apprehend their arrest in Chausa P.S. case No. 144 of 2017 under Section 366A/34 of the Indian Penal Code.

The informant named the petitioners and nine others accused persons and alleged that they all kidnapped his minor daughter for the purpose of marriage on a Bolero Jeep.

The learned counsel for the petitioners submits that the petitioners have no manner of concern with the family affairs of Hemant Kumars and others. Hemant Kumar was having love affairs with the victim and the victim fled away with Hemant Kumar. The informant claimed himself to be an eye witness of the occurrence but the occurrence took place on 21.05.2017 whereas the informant lodged the case only on 23.05.2017. This fact itself shows that the informant is not an eye witness of the occurrence. Other accused persons namely Vijay Kumar Mandal, Sukesh



Kumar Mandal and Hemant Kumar have already been granted regular bail but from perusal of records it appears that the informant has named the petitioners along with other accused persons that they kidnapped the daughter of the informant for the purpose of marriage. Of course three persons along with Hemant Kumar have been granted regular bail but it appears that anticipatory bail of Niranjana Kumar and another has been rejected vide order dated 25.06.2018 passed in Cr. Misc. No. 27156 of 2018 and the case of the petitioner stands on the same footing.

Taking into consideration the aforesaid facts, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If petitioners surrender in the Court below the learned Court below shall consider the prayer for bail of the petitioners without being prejudiced from the order of this Court and, if possible, dispose of the bail petition on the same day.

(Prabhat Kumar Jha, J)

BKS/Rajan

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