

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42002 of 2018

Arising Out of PS.C.ase No. -107 Year- 2016 Thana -KOPA District- SARAN

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1. Sanjay Prasad, S/o Late Sudama Prasad,
2. Pappu Prasad, S/o Late Sudama Prasad,
3. Rajesh Prasad, S/o Late Sudama Prasad,
4. Bishnu Prasad, S/o Jag Narayan Prasad,
5. Sunaina Kuar, W/o Late Sudama Prasad, All are resident of Village-
Kachnar ke Mathiya P.S.- Kopa, Distt- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Kopa P.S.
Case No. 107/2016, instituted for the offences punishable under
Sections 363A, 364 and 365/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
the occurrence is alleged to have taken place on 12.05.2016 and the
complaint has been filed on 20.05.2016. Further it has been
submitted that the daughter of Petitioner no. 1, namey, Jyoti Kumari
has been kidnapped by the son of the informant for which the wife of
petitioner no. 1 has filed F.I.R. in West Bengal bearing G.R. Case



No. 160/2016, F.I.R. No. 31/2016. The present case has been filed against the petitioners only to harass them. The Petitioners have clean antecedent.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Kopa P.S. Case No. 107/2016, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Saran at Chapra, subject to the conditions as laid down under Section 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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