

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10473 of 2018

Arising Out of PS.Case No. -306 Year- 2017 Thana -SONEPUR District- SARAN

- =====
1. Rakesh Kumar, S/o Gorakh Das, R/o Village- Parwezabad Nahar, P.S.- Sonepur, District- Saran.
 2. Raj Kumar Chaudhary S/o Vijendra Chaudhary, No.2 is R/o Village- Sawaich Sonepur, P.S.- Sonepur, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Najmul Hoda, Advocate.

For the Opposite Party/s : Md. Sufiyan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-03-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Sonepur P.S. Case No. 306 of 2017** instituted for the offence under Sections 363 of the Indian Penal Code.

It is alleged in the written report that husband of the informant was working as Vikas Mitra in Ward No. 20. He went to Chapra Welfare Office for submitting his daily work diary on 22.7.2017 and did not return. The informant has not named anybody in the written report. During investigation in her further statement she has raised suspicion against the petitioners since husband of the informant had gone to Chapra Welfare Office with



them.

Learned counsel for the petitioners has submitted that petitioner No. 1 is also Vikas Mitra whereas petitioner No. 2 is husband of one Vikas Mitra.

In this manner, mere suspicion has been raised against the petitioners in the further statement of the informant.

Considering the facts and circumstances of the case, 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 **Sonepur P.S. Case No. 306 of 2017**, 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 **learned Additional Chief Judicial Magistrate-1st, at Chapra**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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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