IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57289 of 2017

Arising Out of PS.Case No. -356 Year- 2017 Thana -HILSA District- NALANDA (BIHARSHARIFF)

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1. Ramesh Prasad, Son of Badan Prasad
2. Sanjay Prasad, Son of Lala Prasad,
3. Ramnath Prasad, Son of Karu Yadav All Resident of Village-Ramdiha, Police Station Noorsarai, District Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pramod Kumar Sinha
For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-01-2018 Heard the learned counsel for the petitioners and learned counsel for the State.

The petitioners seek anticipatory bail in connection with Hilsa PS case no. 356 of 2017 registered for the offences punishable under Section 366(A)/34 of the Indian Penal Code.

The allegation against the petitioners is that they had kidnapped the victim boy for the purposes of getting him married forcibly. It is further alleged that the said accused persons, after taking the boy along with them had got him married with a girl.

The learned counsel for the petitioner submits that the petitioners are own close relatives of the victim boy and they were merely a part of marriage party, but on account of certain disputes

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with regard to dowry, they have been falsely implicated in the present case. The petitioners have no criminal antecedent. It is further submitted that no offence under Section 366(A) of the Indian Penal Code is made out

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within six weeks before the concerned court, the petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Nalanda in connection with Hilsa PS case no. 356 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

It is further directed that the petitioners shall join the investigation and co-operate with the investigating agency and if there is non-cooperation, the prosecution would be free to approach this Court for cancellation of their privilege of anticipatory bail.

(Mohit Kumar Shah, J)

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