

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60187 of 2017

Arising Out of PS.Case No. -364 Year- 2017 Thana -KANTI THARMAL POWER District -
MUZAFFARPUR

- =====
1. Jageshwar Bhagat, son of late Dular Chandra Bhagat,
 2. Munchun Devi, wife of Jageshwar Bhagat, both resident of village-Saein Ramrai Tola Ward No. 11 P.S.-Kanti, District-Muzaffarpur.
- Petitioner/s

Versus

1. The State of Bihar
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 01-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in **Kanti P.S. Case**
No.364 of 2017 instituted for the offence under Section(s) 363,
366-A/34 Indian Penal Code.

Counsel for the petitioners has submitted that
petitioners are father and mother of Anil Kumar. It is alleged in
the written report that minor daughter of the informant had gone
to attend call of nature. Thereafter, she was taken by Anil Kumar
along with these petitioners on Belero vehicle.

Case diary has been received.

Learned APP has submitted that victim girl has not



been recovered as yet.

Counsel for the petitioners has submitted that case has been lodged by the father of the informant after delay of five days as the occurrence had taken place on 08.09.2017 and the First Information Report has been lodged on 13.09.2017.

In the written report, it is said by the informant that he went to house of this petitioner to enquire about his daughter, who said that he had sent his daughter outside.

As such, merely general and omnibus allegation has been levelled 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 **Kanti P.S. Case No.364 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 the **Sub-Divisional Judicial Magistrate, West, Muzaffarpur**, 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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