

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60158 of 2017

Arising Out of PS.Case No. -160 Year- 2017 Thana -CHENARI District- SASARAM (ROHTAS)

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1. Jai Shankar Tiwari Son of late Jagnath Tiwari
 2. Dhananjay Tiwari Son of Rajgrihi Tiwari
 3. Ashok Tiwari @ Krishna Tiwari @ Krishna son of Jay Shankar Tiwari
 4. Jitendra Tiwari Son of late Kedar Tiwari All residents of Village- Mahuat, Police Station- Chenari, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Dr. Indivar Kumaris

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 15-01-2018 Heard the learned counsel for the petitioners and the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Chenari P.S. Case No. 160 of 2017 registered for the offence punishable under Sections 341, 323, 379, 363 and 365/34 of the Indian Penal Code.

The allegation against the petitioners is regarding abducting the victim boy and thereafter taking him to a secluded place and finally letting him go after taking out Rs. 1000/- from his pocket.

The learned counsel for the petitioners submits that the petitioners are innocent and the present case arises out of case and counter case. It is submitted that the petitioners have a clean antecedent.



The learned APP for the State submits that from the perusal of the case diary it would be apparent that no specific allegation has been levelled against the petitioners herein. She further refers to the statement of the victim boy under Section 164 Cr.P.C. wherein he has stated that the incident pertains to 10.07.2017 whereas the informant has, in his fardbeyan, stated that the incident had taken place on 18.07.2017. Hence, the submission is that the present case appears to be fabricated subsequently.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-cum-Sub Judge-3, Rohtas at Sasaram in connection with Chenari P.S. Case No. 160 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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