

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57446 of 2017

Arising Out of PS. Case No.-89 Year-2017 Thana- DUMRA District- Sitamarhi

1. Umesh Baitha, S/o Late Rambriksh Baitha,
2. Reena Devi W/o Umesh Baitha,
Both R/o Village- Bangaon Goat, P.S.- Bathnaha, District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Ms. SHARDA KUMARI

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 10-01-2018 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of
Dumra Police Station Case No. 89 of 2017, disclosing offences
under Sections 363/366A/504/506/34 of the Indian Penal Code.

The alleged victim and co-accused Nand Kishore Baitha
are personally present.

The victim states that she had voluntarily gone with the
said co-accused, Nand Kishore Baitha.

The petitioner no. 1 is the father of the said accused Nand
Kishore Baitha and petitioner no. 2 is his mother.

Learned Counsel for the petitioners has submitted that the
accused persons have been falsely implicated in the case making



allegation of commission of offences punishable under Sections 363/366A/504/506/34 of the Indian Penal Code, which are not made out.

Considering the above, this application is allowed.

Let the petitioners, namely, Umesh Baitha and Reena Devi, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Dumra Police Station Case No. 89 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

It is clarified that I have not gone into the question of minority or otherwise of the victim.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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