

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25015 of 2018

Arising Out of PS. Case No.-223 Year-2017 Thana- RUNISAIDPUR District- Sitamarhi

1. Hari Chandra Rai, S/o Phuleshwar Rai,
2. Bishwanath Rai S/o Late Mahesh Rai,
3. Lalu Rai @ Lalbabu Rai S/o Late Mahesh Rai, All R/v - Naraha (Mushahari), P.S.- Tariyani, Sheohar,
4. Subodh Rai @ Subodh Kumar S/o Lal Babu Rai, R/o Vill.- Laxminiya, P.S.- Shyampur Bhalaha, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Sri Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Runnisaidpur P.S.
case no. 223 of 2017 instituted for the offence under Section(s)
363, 366(A)/34 of the Indian Penal Code.

In the written report it is alleged that the minor daughter
of the informant has been kidnapped by these petitioners and
other accused persons as named in the written report. The victim



girl has given her statement on recovery under Section 164 Cr.P.C. wherein she has stated that she has voluntarily gone with Surendra Kumar who is brother -in-law of her brother. She lived with Surendra Kumar for 5-6 days. He did not misbehave with her during that period. Thereafter, Surendra Kumar brought her to village. The victim girl has not levelled any specific allegation of overt act against these petitioners in her statement recorded under Section 164 Cr.P.C.

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 Runnisaaidpur P.S. case no. 223 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 learned SDJM Sitamarhi, 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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