

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27156 of 2018

Arising Out of PS.Case No. -144 Year- 2017 Thana -CHAUSA District- MADHEPURA

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1. Niranjan Mandal @ Niranjan Kumar Mandal, Son of Lakhan Lal Mandal @ Lakhan Mandal.
2. Lakhan Mandal @ Lakhan Lal Mandal, Son of Late Hira Mandal.
3. Rekha Devi @ Gunjan Devi, Wife of Niranjan Kumar Mandal @ Niranjan Mandal.
4. Tara devi, Wife of Lakhan Lal Mandal @ Lakhan Mandal. All Resident of Village-Abhihiya Tola, Basaitha, Police Station-Chausa, District-Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Anil KUMar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-06-2018 The petitioners are apprehending their arrest in connection with Chausa P.S. Case No. 144 of 2017, registered for offences punishable under Sections 366A and 34 of the Indian Penal Code.

Allegation against the petitioners is of kidnapping the daughter of the informant.

It has been submitted on behalf of the petitioners that in fact there was love affair between the Hemant Kumar and the daughter of the informant and they have eloped with each other and petitioners being relative of the said Hemant Kumar has falsely been roped in this case. It has also been submitted that



petitioner nos. 3 and 4 are ladies.

Heard learned A.P.P. also.

Having heard both sides, although the allegation of kidnapping the daughter of informant is against all the accused, however considering the fact that petitioner nos 3 and 4 are ladies, as such, let the petitioner nos. 3 and 4, 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, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Udakishunganj, Madhepura in connection with Chausa P.S. Case No. 144 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on



the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

So far other petitioners i.e. petitioner nos. 1 and 2 are concerned, considering the facts and circumstances of the case, I am not inclined to grant them the privilege of anticipatory bail rather they should surrender before the court below and pray for regular bail, which will be considered by the court below on the merit of the case.

(Vinod Kumar Sinha, J)

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