IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42023 of 2018

Arising Out of PS.Case No. -36 Year- 2018 Thana -DERNI District- SARAN

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1. Dhanu Singh @ Dhananjay Sharma, Son of Late Santo Singh,
2. Nikhil Kumar Singh @ Nikhil Kumar Sharma, Son of Dhanu Singh,

Both resident of village- Bajraha, Police Station- Derni, District- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Prem Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-08-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Derni P.S. Case No.36 of 2018** instituted for the offence under Sections 364A, 341, 323, 427, 506, and 504/34 of the Indian Penal Code.

Counsel for the petitioners has submitted that petitioners have clean antecedent. The informant had borrowed money from petitioner No. 1 with promise to return the same. When informant failed to repay the money, hot exchange of words took place between the parties and the instant case has been filed.

In the instant case there is allegation that petitioners abused daughter of the informant when she refused to make

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payment of Rs.1,40,000/-. She was dragged from his house and taken to the house of accused and kept in wrongful confinement. The petitioners also gave threat to kill her.

Case diary has been received.

Learned A.P.P. after looking into the case diary has submitted that witnesses in the case diary have not levelled specific allegation against petitioners of forcibly kidnapping the daughter-in-law of the informant.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Derni P.S. Case No.36 of 2018**, 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 learned **Additional Chief Judicial Magistrate-7th, Chapra**, 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 their absence on two consecutive dates without proper and reasonable reason will be

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liable to cancel their bail bond 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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