

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39783 of 2018

Arising Out of PS.Case No. -43 Year- 2018 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Usha Devi, Wife of Chote lal Dhangar
 2. Chote Lal Dhangar, Son of late Mosafir Dhangar Both Residents of
Village- Ambedkar Nagar, P.S. Chakiya, District- East Champaran.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 10-07-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest
in a case registered for the offences punishable under Sections
363 and 366A of the Indian Penal Code.

The prosecution case as per the written report
of Rajendra Dhangar dated 06.03.2018 submitted to the Station
House Officer, Chakia P.S., is to the effect that on 05.03.2018 at
2.30 P.M., the FIR named accused persons including the
petitioners kidnapped the minor daughter of the informant, Arti
Kumari.

It is submitted by learned counsel for the
petitioners in the statement under Section 164 Cr.P.C., the victim
has only named four persons Suraj, Chandan, Dipak and Rahul



who kidnapped her. The petitioners have only been roped in the present case since they happen to be parents of the one of the accused Dipak. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP, however, submits that the petitioners are named in the FIR.

Considering the fact that the victim has not named the petitioners in the statement under Section 164 Cr.P.C. coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 13th Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Chakiya P.S. Case No. 43 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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