

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37072 of 2018

Arising Out of PS. Case No.-281 Year-2018 Thana- AHIAPUR District- Muzaffarpur

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1. Tapeswar Sahani, S/o Late Devki Sahani,
 2. Phuljhari Devi W/o Tapeswar Sahani,
 3. Shatrughan Sahani S/o Tapeswar Sahani

All are Residents of Vill.- Chapra, P.S.- Ahiyapur,
District- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Verma, Advocate
For the Opposite Party/s : Smt. Reena Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Ahiyapur P.S. Case No.281 of 2018,
registered for the offence punishable under Sections 365, 366
and 120-B of the Indian Penal Code.

Allegation has been made against the petitioners that
they have kidnapped the daughter of the informant. The girl in
her statement recorded under Section 164 of the Cr.P.C. has
taken the name of the petitioners and stated that she was kept in
Rajasthan for one month. No specific allegation has been made
against the petitioner no.2 save and except the bald statement.



Looking to the entire facts and circumstances of the case, let the petitioner no.1, namely, Phuljhari Devi, be released on anticipatory bail in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, in connection with Ahiyapur P.S. Case no.281 of 2018 (G.R. No.1288 of 2018), subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner no.2, for the purposes of investigation and interrogation, she will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

So far the bail of petitioner nos. 1 and 3 is concerned, the same is rejected.

(Shivaji Pandey, J)

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