

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41394 of 2018**

Arising Out of PS.Case No. -63 Year- 2017 Thana -TARABARI District- ARRARIA

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1. Budh Lal Yadav, Son of Late Kinlal Yadav, of Village- Dhumtola, Deep Nagar Ward No.10 P.S.- Sikti, District- Araria.  
2. Rahul Yadav @ Rahul Kumar Chaudhary, Son of Arun Chaudhary, Resident of Village- Belgachhi, P.S.- Palasi, District- Araria.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Baleshwar Kamat

For the Opposite Party/s : Smt. Veena Rani Prasadd.

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      18-07-2018                      Heard learned counsel for the petitioners.

Petitioners apprehend their arrest in connection with Tarabara P.S.Case No. 63 of 2017 registered for the offences punishable under Sections 365/34 of the Indian Penal Code.

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

Submission of learned counsel for the petitioners is that except suspicion there is absolutely nothing against the petitioners and suspicion is raised only because one Amir Khan had come and informed the informant that petitioner No.1 and one Ganga Yadav had offered him Rs.1 lakh for kidnapping of father of the informant and next day he was kidnapped. So far petitioner No.2 is concerned, there is no allegation.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail stating that statement of the witness has been recorded and that shows the



hands of petitioner No.2 in this case.

Having heard both sides and in the facts and circumstances, let the petitioner No.2, named above, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Araria, in connection with Tarabari P.S.Case No. 63 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further condition is that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned.

So far petitioner No.1 is concerned, in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail. Let him surrender and pray for regular bail, which shall be considered on its own merit.

With the above observation, this application is disposed of.

**(Vinod Kumar Sinha, J)**

spa/-

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