

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62646 of 2017

Arising Out of PS.Case No. -86 Year- 2017 Thana -ANDHRATHARI District- MADHUBANI

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1. Deepak Kumar Rai, Son of Ashok Rai @ Ashok Kumar Rai,
 2. Ashok Rai @ Ashok Kumar Rai, Son of Bouku Roy @ Shiv Shankar Roy,
 3. Uma Devi, Wife of Ashok Rai @ Ashok Kumar Rai, All residents of Village- Mangrauna, Police Station- Andharathadi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Matloob Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-01-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor of the State.

The petitioners are apprehending their arrest in connection with Andhrathadi P.S.Case No. 86 of 2017 corresponding to G.R. No. 1458 of 2017 registered for offences punishable under Sections 363, 366, 498 and 34 of the Indian Penal Code.

The prosecution case is that petitioner No. 1 kidnapped the victim girl with the help of petitioner Nos. 2 and 3.

Learned counsel for the petitioners submits that the victim girl, who is major, has stated in her statement made under



Section 164 Cr. P. C. that she was not kidnapped by any one and she had gone to her ancestral house on account of being annoyed with her parents since they used to pressurize her to study. It is further submitted that the petitioners have clean antecedent.

Having regard to the facts and circumstances of the case, I find that as far as the petitioners are concerned, at least they are entitled for grant of anticipatory bail for the reason that the victim girl herself has not supported the case, which is apparent from her statement made under Section 164 Cr.P.C.

Under the above mentioned circumstances, I direct that the above named petitioners, in the event of their arrest/surrender before the Court below within six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Rs. Ten thousand)each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- III, Jhajharpur , District- Madhubani in connection with Andharatharhi P.S. Case No. 86 of 2017, bearing G.R. No. 1458 of 2017, subject to the conditions enumerated under Section 438 (2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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