

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56773 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -SHIWAPATHI District- MUZAFFARPUR

- =====
1. Chulhai Yadav, Son of Fudeni Rai
 2. Vikash Kumar @ Kiran Kumar Yadav, Son of Fudeni Rai
 3. Rakesh Kumar Yadav, Son of Fudeni Rai
 4. Rani Kumari, Daughter of Fudeni Rai
 5. Kunmee Devi, wife of Fudeni Rai
- All residents of village - Gosainpur, P.S. Siwaipatti, District - Muzaaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Hari Kishore Thakur, Advocate.
For the informant	:	Mr. Krishna Ranjan, Advocate. Mr. Arbind Kumar, Advocate.
For the State	:	Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-01-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Siwaipatti**
P.S. Case No. 31 of 2017 instituted for the offence under Sections
366(A) and 34 of the Indian Penal Code.

In the written report it is alleged that Mukesh Kumar
has kidnapped minor daughter of the informant. It is further
alleged that these petitioners helped Mukesh Kumar in kidnapping
the daughter of the informant.

Learned counsel for the petitioners has submitted that
these petitioners are family members of co-accused Mukesh



Kumar.

Learned counsel for the informant has appeared. He has produced Xerox copy of the statement of the victim girl recorded under Section 164 Cr. P.C. wherein she has specifically stated that Mukesh Kumar along with other accused persons had kidnapped and took her to Delhi. She has not levelled any specific allegation against these petitioners.

From perusal of the statement of the victim girl it appears that she has levelled specific allegation against co-accused Mukesh Kumar of kidnapping and taking her to Delhi.

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 **Siwaipatti P.S. Case No. 31 of 2017**, 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 Sub Judge-IX-cum-Additional Chief Judicial Magistrate, Muzaffarpur**, 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 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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