

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20470 of 2018

Arising Out of PS.Case No. -120 Year- 2017 Thana -MINAPUR District- MUZAFFARPUR

- =====
1. Chanabati Devi @ Panbati Devi, W/o Surendra Paswan,
 2. Surendra Paswan S/o Late Jagdeo Paswan, Both R/o Village-
Mustafaganj (Jang Bazar), P.S.- Minapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Sri Sunil Kumar Pandey (APP)

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

- 3 03-05-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend arrest in connection with
Minapur P.S. Case No. 120/2017 registered for the offences
punishable under sections 365/379/506/34 of the Indian Penal
Code.

On 01.04.2017, all the accused persons including
petitioners came at the house of the informant on the pretext of
'Tantra-Mantra' and stayed in the night and took away household
articles as mentioned in the written report along with his wife and
son, who is aged about five years. It has been further alleged that
on the next day, the informant got information about the



occurrence, when he returned from Deemapur. Thereafter, the informant enquired from co-accused Chanavati Devi, who told that his wife and son had been sent to some other place and threatened him of dire consequences.

The learned counsel for the petitioners has submitted that case diary has been received wherein the victim lady has given statement under section 164 Cr.P.C. in which she has stated her age as 28 years and she stayed at Rajasthan for two months along with one of the co-accused Prem Kumar, who has already been allowed anticipatory bail by one of the co-ordinate Bench of this Court in Cr. Misc. No. 9929 of 2018. Further submission is that the allegation of kidnapping against these petitioners is omnibus and the case of the petitioners stands on similar footing to the case of co-accused who is on bail.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within a period of six weeks, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial



Magistrate, Muzaffarpur in connection with Minapur P.S. Case No. 120/2017, subject to the condition as laid down under section 438 (2) of the Criminal Procedure Code. Further condition that (1) one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. (2) The petitioners will not induce any witness or tamper with the evidence. (3) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Sanjay Kumar, J)

Mahesh/-

U		T	
---	--	---	--

