

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38957 of 2018

Arising Out of PS.Case No. -232 Year- 2017 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Mukesh Patel,
 2. Nrendra Patel,
 3. Jeetendra Patel All Sons of Ramlagan Raut,
 4. Usha Devi W/o Mukesh Patel, All R/o Vill.- Sobaiya, P.S.- Kotwa,
District- East Champaran.
 5. Ramakant Prasad S/o Shri Kishun Prasad, R/o Vill.- Mathlohiyar, P.S.-
Harsidhi, District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-07-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Kotwa P.S. Case No. 232 of 2017, registered for offences punishable under Sections 363, 366 and 366A/34 of the Indian Penal Code.

Allegation as per FIR against the petitioners is of kidnapping the daughter of the informant.

Submission of the learned counsel for the petitioners is that they have falsely been implicated in this case due to malafide intention and FIR had been lodged after sixteen days delay of the date of occurrence. It is also submitted that the marriage of the victim girl had already been solemnized before Marriage Officer, Bettiah, East Champaran, and in support thereof the marriage



certificate has been attached as Annexure-2/1. It has further been submitted that the statement of the victim girl recorded under Section 164 Cr. PC. is false and under duress.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each in connection with Kotwa P.S. Case No. 232 of 2017 to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other that bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned and petitioners shall cooperate in the investigation and shall be present before police as and when required, otherwise prosecution is at liberty to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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