

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20607 of 2018**

Arising Out of PS.Case No. -394 Year- 2017 Thana -BARHARIA District- SIWAN

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1. Lilawati Devi D/o Hiralal Mahto  
2. Nagendra Pandey S/o Bhuneshwar Pandey Both are residents of Village - Sundarpur, P.S. - Barharia, District - Siwan (Bihar).

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Mishra

For the Opposite Party/s : Mr. Sri Surendra Kumar

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

4      18-06-2018      Heard the parties.

The petitioners are apprehending their arrest in connection with Barharia P.S.Case No.394 of 2017 , registered for offences punishable under Sections 363, 366A/34 of the Indian Penal Code.

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

Submission of the learned counsel for the petitioners is that they have been falsely implicated in this case on the basis of suspicion and there is nothing against them and moreover the petitioner no.1 is a lady.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that the girl is still traceless and she has not been recovered.



Having heard both sides and in view of the facts and circumstances, as stated above, so far petitioner no.1 (Lilawati Devi) is concerned, as she is lady, as such let petitioner no.1 surrender before the court below within a period of six weeks from the date of order and on her surrender she will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Siwan, in connection with Barharia P.S.Case no.394 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no.2 (Nagendra Pandey) is concerned, I am not inclined to grant anticipatory bail to the petitioner no.2 rather let the petitioner no.2 surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered on its own merit.

With the aforesaid direction, this application is disposed of.

**(Vinod Kumar Sinha, J)**

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