

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34724 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- LAHERIMUHALLA District- Nalanda

1. Sunaina Devi W/o Madan Paswan
2. Madan Paswan S/o Late Kailash Paswan, Both Resident of Village- Moglani, P.S.- Belchhi, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad
For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 09-08-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Laheri P.S. case no.
20/2018 instituted for the offence under Section(s) 366A/34 of
the Indian Penal Code.

As per written report the minor daughter of the informant
got traceless. The informant received call on his mobile phone
and thereafter the informant got suspicious that his daughter
has been kidnapped by these petitioners along with Vikash
Paswan.

Case diary has been received.

Learned APP after looking into the case diary has



submitted that girl is still traceless.

From the written report itself it appears that informant has levelled specific allegation against these petitioners of getting his daughter traceless.

In such circumstances, this Court is not inclined to grant anticipatory bail to petitioner no.2, namely, Madan Paswan. Prayer for anticipatory bail of petitioner no.2 stands rejected.

So far petitioner no.1, namely Sunaina Devi is concerned, she is lady. Therefore, this Court is inclined to grant her anticipatory bail.

In the facts and circumstances of the case, prayer of the petitioner no.1 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner no.1, named above, within six weeks from today in connection with Laheri P.S. case no. 20/2018, she shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the CJM, Nalanda at Biharsharif, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by



the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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