

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5858 of 2019

Arising Out of PS. Case No.-194 Year-2018 Thana- SINDHWARA District- Darbhanga

1. Santosh Kumar @ Santosh Ram, S/o Birendra Ram
2. Mantosh Kumar Ram @ Mantosh Ram, S/o Birendra Ram
3. Pramila Devi, W/o Birendra Ram
4. Guriya Kumari, D/o Birendra Ram

All resident of Village- Sanhapur, P.S.-Singhwara, District- Darbhanga
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh. APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections 363, 366 and 34 of
the Indian Penal Code.

The prosecution case as per the written report of Rekha
Devi, submitted to the S.H.O., Singhwara P.S. is to the effect
that on 27.09.2018 at about 01.00 P.M., the daughter of the
informant namely, Annu Kumari went traceless, leading to the
registration of the FIR against six persons including the



petitioners. It is specifically alleged that co-accused, Sudhir Ram enticed away the daughter of the informant. It is further alleged that when enquiry was made from the mother of the co-accused, Sudhir Ram, then she disclosed that the daughter of the informant went in company of co-accused, Sudhir Ram and the daughter of the informant also used to talk with the co-accused, Sudhir Ram through phone.

It is submitted by learned counsel for the petitioners that the petitioners are brothers, sister and mother of the co-accused Sudhir Ram. It is further submitted that the thrust of accusation is against the co-accused, Sudhir Ram. Moreover, the victim in her statement recorded under Section 164 of the Cr. P.C., have not disclosed anything about the petitioners, and has stated that co-accused Sudhir Ram enticed her away forcibly. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR.

Considering the fact that the impugned order suggests that the victim in her statement recorded under Section 164 of the Cr.P.C., has not alleged anything against the petitioners and the thrust of accusation is against the co-accused, Sudhir



Ram, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Vth A.C.J.M., Darbhanga** in connection with **Singhwara P.S. Case No.194 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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