

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10226 of 2019

Arising Out of PS. Case No.-71 Year-2018 Thana- BATH District- Bhagalpur

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1. NAGESHWAR SINGH @ NAGESHWAR PRASAD SINGH A S/o Late Hari Shankar Singh
 2. Chandan Kumar @ Chandan Kumar Singh S/o Nageshwar Singh @ Nageshwar Prasad Singh
 3. Rahul Kumar S/o Nageshwar Singh @ Nageshwar Prasad Singh
 4. Munni Devi W/o Nageshwar Singh @ Nageshwar Prasad Singh
All resident of village-Pipra, P.S-Bath, District Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-05-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Bath P.S.Case no.71 of 2018 dated 7.11.2018 , registered for offences punishable under Sections 366(A), 504, 506 and 34 of the Indian Penal Code.

As per the FIR the prosecution story is that the minor daughter of the informant was studying in class 9 and the son of the petitioner no.1 has taken her away and since then she is traceless. It is also stated that when they went to the house of the petitioners they abused them and threatened them.

Submission of the learned counsel for the petitioners is



that the FIR itself shows that it is the son who has taken the minor daughter of the informant and petitioner no.1 is father, petitioner nos. 2 and 3 are brothers and petitioner no.4 is the mother and they have no role in that.

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

Having heard both sides, so far petitioner nos. 2 Chandan Kuamr @ Chandan Kumar Singh and 3 Rahu Kumar are concerned, (brothers) and petitoner no.4 Munni Devi (mother) are directed to surrender before the court below within a period of six weeks from the date of receipt of order and on surrender they 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 CJM, Bhagalpur in connection with Bath P.S.Case No.71 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no.1 Nageshwar Singh @ Nageshwar Prasad Singh is concerned, I am not inclined to grant privilege of anticipatory bail to the petitioner, he may move for regular bail, which will be considered by the learned court below on the



basis of materials available on the record.

With the aforesaid direction, this application is disposed
of.

(Vinod Kumar Sinha, J)

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