

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14777 of 2019

Arising Out of PS. Case No.-270 Year-2018 Thana- BAUNSI District- Banka

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1. MOTI DAS, Son of Basudeo Das Resident of Village- Pabarha Rampur, Police Station, Bounsi, District- Banka.
 2. Bhagiya Devi Wife of Moti Das Resident of Village- Pabarha Rampur, Police Station- Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Balram Kapri

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 24-06-2019 This application, for grant of anticipatory bail, arises out of Bounsi P.S. Case No. 270 of 2018, disclosing offences under Section 366A of the Indian Penal Code.

Allegation against the petitioners is of assisting their son (co-accused of this case) in kidnapping the minor daughter of the informant.

Submission of learned counsel for the petitioners is that they are father and mother of the co-accused Suman Das against whom, there is allegation of kidnapping the daughter of the informant. However, the real fact is that the co-accused Suman Das and the daughter of the informant were in love affair and out of the said affair, they married with each other and they are living somewhere in Delhi.



Heard learned A.P.P. also. He has opposed the prayer for grant of anticipatory bail on the ground that the victim girl is still traceless.

Having heard both sides, considering the fact and circumstances of the case, so far petitioner no. 2 is concerned, since she is a lady, in the event of her arrest or surrender before the court below within a period of six weeks, she is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Bounsi P.S. Case No. 270 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no. 1 is concerned, I am not inclined to grant him the privilege of anticipatory bail. He may surrender in the court below and make prayer for regular bail, which will be disposed of by the court below on the merit of the case, without being prejudiced by this order.

With the above observation and direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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