

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17178 of 2019

Arising Out of PS. Case No.-367 Year-2018 Thana- DARBHANGA SADAR District-
Darbhanga

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1. SANJU DEVI Wife of Jai Prakash Rai Resident of Village - Chapahi, P.S.-
Raj Nagar, District - Madhubani
 2. Rita Kumari D/O- Jai Prakash Rai Resident of Village - Chapahi, P.S.- Raj
Nagar, District - Madhubani
 3. Jai Prakash Rai Son of Late Jawahar Rai Resident of Village - Chapahi, P.S.-
Raj Nagar, District - Madhubani

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-05-2019 This application, for grant of anticipatory bail, arises
out of Sadar P.S. Case No. 367/18, disclosing offences under
Sections 365, 366(A) and 34 of the Indian Penal Code.

Allegation against the petitioners is of conspiring with
other in kidnapping daughter of informant.

Submission of learned counsel for the petitioners is
that the girl has been recovered and her statement under Section
164 Cr.P.C. was recorded, in which, she has not named the
petitioners rather she has name other accused persons and
however, as an afterthought only with a view to drag these
petitioners also, an affidavit has been filed by the victim girl
stating that the petitioners are also involved in the occurrence.



Heard learned A.P.P. also as well as learned counsel for the informant. They have opposed the prayer for bail and submitted that though the girl has not named these petitioners in her statement under Section 164 Cr.P.C. but subsequently, she filed an affidavit that after her kidnapping, she was kept in the house of the petitioners and as such, they do not deserve the privilege of pre arrest bail.

Having heard both sides, considering the facts and circumstances of the case as well as the statement of girl recorded under Section 164 Cr.P.C., this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, 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 1st Additional Sessions Judge, Darbhanga, in connection with Sadar P.S. Case No. 367/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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