

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22754 of 2019

Arising Out of PS. Case No.-105 Year-2018 Thana- DARIYAPUR District- Saran

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1. Dular Ram, aged about 70 years, Male, son of Late Supdar Ram
 2. Rabindra Ram, aged about 45 years, Male, son of Dular Ram
- Both are resident of Village – Edilpur, P. S.- Dariyapur, District – Saran at Chapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Kumar Sharma, Advocate
For the Opposite Party : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 01-08-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Dariyapur P. S. Case No. 105 of 2018 registered for the offences
punishable under Sections 366(a), 504, 506 and 34 of the Indian
Penal Code.

The allegation against the petitioners, as per the
F.I.R., is that on the date of occurrence, the daughter (Nibha
Kumari) of the informant had gone to attend nature's call in the
morning and after some time, when she did not return, search
was made by the informant but he did not find her anywhere. It
is further alleged that earlier also, his daughter had fled away
with one Gudu Ram son of petitioner no. 2, namely, Rabindra



Ram. When the informant made complaint about the kidnapping of his daughter before the petitioners, they assured him to find out her. However, after some time, when the informant went there to inquire about his daughter, he was abused and threatened of dire consequences by the petitioners.

Mr. Ajay Kumar Sharma, learned counsel for the petitioners, submits that no specific allegation against the petitioners has been attributed which is evident from perusal of the F.I.R., however, the entire allegation is against Gudu Ram, who is son of petitioner no. 2, namely, Rabindra Nath and has allegedly kidnapped and abducted the daughter of the informant. He further submits that Petitioner No. 1 is 70 years old and grand father of the accused Gudu Ram whereas Petitioner No. 2 is father of the said accused Gudu Ram.

After having heard learned counsel for the petitioners and learned counsel appearing on behalf of the State as well as taking into consideration the fact that no specific allegation of abduction and kidnapping has been levelled against the petitioners and both the petitioners are grand father and father of the accused Gudu Ram, accordingly, I am inclined to grant anticipatory bail to the petitioners.

Let, the petitioners, above named, in the event of



their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Saran at Chapra in connection with Dariyapur P. S. Case No. 105 of 2018 subject to the conditions as laid down under Section 438(2) of Cr. P. C.

(Anil Kumar Sinha, J)

Rajeev Kumar/-

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