

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21447 of 2019

Arising Out of PS. Case No.-73 Year-2017 Thana- CHAUSA District- Madhepura

1. Bilash Rishideo, Son of Late Panchu Rishideo Resident of Village - Alamnagar Maghaiya Tola Purvi Musahri, P.S.- Alamnagar, Distt.- Madhepura.
2. Babloo Rishideo Son of Bilash Rishideo Resident of Village - Alamnagar Maghaiya Tola Purvi Musahri, P.S.- Alamnagar, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-04-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Chausa (Fulaut O.P.) P.S.Case No. 73 of 2017, disclosing offences under Sections 341, 323, 342, 366, 376 and 504/34 of the Indian Penal Code.

There is allegation of kidnapping of the informant for the purpose of marriage and committing rape.

Learned counsel, appearing on behalf of the petitioners, has submitted that the petitioners have been implicated because they are family members of the main accused Chhotu Rishideo. According to him, though there is allegation in the FIR against these petitioners also of having



participated in commission of the offence of kidnapping, there is no such allegation in the statement of the victim recorded under Section 164 of the Cr. P.C.

Considering the above submissions, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned S.D.J.M., Udakishunganj at Madhepura in Chausa (Fulaut O.P.) P.S. Case No. 73 of 2017, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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