

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31417 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- HILSA District- Nalanda

1. Chandan Kumar Son of Sanjay Mistry Resident of Village - Dharmpur, P.S.- Hilsa, District - Nalanda.
2. Sanjay Mistry Son of Late Basant Mistry Resident of Village - Dharmpur, P.S.- Hilsa, District - Nalanda.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad

For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 10-05-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 366-A/34 of the Indian Penal Code.

Kundan Kumar is said to have kidnapped the minor daughter of the informant from the school and Chandan Kumar and Sanjay Mistry (petitioners), brother and father respectively of the said Kundan Kumar, have facilitated in kidnapping.

Learned counsel for the petitioners submitted that no such occurrence as alleged ever took place. The petitioners are



quite innocent and have been falsely implicated in this case merely because the petitioners happens to be brother and father respectively of Kundan Kumar. As a matter of fact, the victim in her statement recorded under Section 164 Cr.P.C. has not taken the name of the petitioner. She has stated that she is in love with the Kundan Kumar and left for her cousin uncle along with the Kundan Kumar. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Hilsa P.S. Case No.120 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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