

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34591 of 2019

Arising Out of PS. Case No.-303 Year-2018 Thana- UCHKAGAON District- Gopalganj

1. SUNIL KUMAR Son of Naresh Prasad Resident of Village- Gurulahan, P.S.- Uchakagaon, District- Gopalganj.
2. Niraj Kumar Son of Deonand Prasad Resident of Village- Gurulahan, P.S.- Uchakagaon, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 18-10-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Uchakagaon P.S.Case No.303 of 2018 , registered for offences punishable under Sections 366A/34 of the Indian Penal Code.

Petitioners are named in the FIR and it is stated that they have keep kidnapped the minor daughter of the informant.

Learned counsel for the petitioners drawing my attention towards Annexure-2 has stated that statement of the girl recorded under Section 164 Cr.P.C. does not show that any force was used and no other overt act has been alleged against the petitioner. Furthermore there is delay of six days in lodging



the FIR. As a matter of fact there was love affair between the petitioner no.1 and the girl.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, surrender before the learned court below within a period of three weeks from the date of receipt of the order and on surrender, he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Gopalganj in connection with Uchakagaon P.S. Case No.303 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition not to tamper with the evidence or threaten the victim girl or her family otherwise, otherwise their bail bond shall be cancelled..

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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