

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39658 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- TARAIYA District- Saran

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1. Kundan Shah @ Kundan Kumar Shah Son of Manager Shah
 2. Rahul Shah Son of Prabhu Shah
 3. Niraj Shah @ Niraj Kumar Shah Son of Wakil Shah
 4. Rakesh Shah @ Rakesh Kumar Shah Son of Brij Mohan Shah @ Braj Mohan Sah
 5. Mukesh Shah @ Mukesh Kumar Shah Son of Brij Shah @ Braj Mohan Sah,
All are resident of Village - Narayanpur, P.S.- Taraiya, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Prakash Shharma
For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Taraiya P.S. Case No. 75 of 2019
registered for offence punishable under sections 363, 366 (A),
34, 504 and 506 of the Indian Penal Code.

Allegation has been made, on 16.03.2019 in the
morning at about 3:00 A.M., the daughter of informant had
gone for a natural call. The petitioner and co-accused Guddu
Sah kidnapped the daughter of informant for the purpose of
marriage and when the informant approached to Rahul Sah,



Niraj Sah, Rakesh Sah and Mukesh Sah, they started hurling abuses. The girl is still traceless.

Looking to the fact that there is a direct allegation against petitioner no. 1 to have kidnapped the daughter of informant, his prayer for bail is rejected. However, there is only allegation of abusing by petitioner nos. 2 to 5, their prayer for anticipatory bail is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IX, Saran at Chapra in connection with Taraiya P.S. Case No. 75 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of petitioner nos. 2 to 5 shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. Petitioner nos. 2 to 5 will not induce any witness or tamper with the evidence. Petitioner nos. 2 to 5 shall cooperate in the disposal of trial and make themselves available as and when required by the court. Whenever the Police will call the petitioner nos. 2 to 5 for the purpose of interrogation or investigation, they would present



themselves, In case of failure on two consecutive dates without any valid reason, the prosecution will have liberty to make a prayer for cancellation of their bail before the court below.

(Shivaji Pandey, J)

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