

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39505 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

1. MD ILIAS BAITHA, S/O Israil Baitha Resident of Village- Manik Chowk, P.S. Runnisaidpur, District- Sitamarhi.
2. Md. Raju Baitha, S/O Israil Baitha Resident of Village- Manik Chowk, P.S. Runnisaidpur, District- Sitamarhi.
3. Allauddin Baitha, S/O Abbas Resident of Village- Manik Chowk, P.S. Runnisaidpur, District- Sitamarhi.
4. Samdan Khatoon @ Shabnam Khatoon, Wife of Md. Ilias Baitha Resident of Village- Manik Chowk, P.S. Runnisaidpur, District- Sitamarhi.
5. Israil Baitha S/O Late Mirzan Ansari Resident of Village- Manik Chowk, P.S. Runnisaidpur, District- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-06-2019 Petitioners seek bail in anticipation of their arrest in connection with Runnisaidpur P.S. Case No. 11 of 2019 registered for the offences punishable under Sections 363 and 366 of the Indian Penal Code.

Allegation as per FIR is that one Md. Fool Babu came along with others and taken away the minor daughter of the informant on motorcycle and thereafter informant went to the house of Fool Babu where she was abused and dragged out by the petitioners.



Submission of learned counsel for the petitioners is that the allegation of kidnapping is against Fool Babu and petitioner have falsely been implicated in this case and they are grandfather and other relatives of Fool Babu and they are ready to abide by any condition imposed on them if bail is granted.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for anticipatory bail stating that processes were issued under Sections 82 and 83 of Cr.P.C. against the petitioners.

In view of above facts and circumstances, let petitioners, in the event of arrest or surrender before the court below by 9.7.2019 be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Runnisaidpur P.S. Case No. 11 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the court concerned and further condition is that petitioners have to appear before the I.O. as and when required and co-operate with the police in tracing out the girl, otherwise the prosecution



is at liberty to move for cancellation of bail bonds of the
petitioners.

(Vinod Kumar Sinha, J)

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