

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64925 of 2018**

Arising Out of PS. Case No.-312 Year-2018 Thana- SAKRA District- Muzaffarpur

1. Kashmir Paswan,
2. Sushil Paswan,
Both are Son of Late Jai Kishun Paswan, R/o Village- Dihuli PS- Sakra,
Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Sujata Sinha

For the Opposite Party/s : Mr.Sri Dilip Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

5 12-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 363, 365 and 370/34 of the Indian Penal Code.

The prosecution case as per the written report of Raj Narayan Sharma submitted to the Station House Officer of Sakra Police Station is to the effect that on 08.06.2018, the elder daughter of the informant, Anita Kumari had gone to Sakra but she did not return. On enquiry, the informant came to know that co-accused Suraj Sah, Shambhu Sah, Wife of Shambhu Sah and younger son of Shambhu Sah have kidnapped the daughter of



the informant. It is alleged that on 04.07.2018 second daughter of the informant, Sapna Kumari went traceless when it is alleged that she was being kidnapped by co-accused Prashant Kumar and petitioners facilitated the same.

It is submitted by learned counsel for the petitioners that from perusal of the impugned order, it appears that elder daughter of the informant subsequently returned and in her statement recorded under Section 164 Cr.P.C. she has stated that she has performed marriage with Suraj Kumar and so far second daughter of the informant is concerned, the thrust of accusation is against co-accused Prashant Kumar and petitioners have falsely been roped in the present case since they happen to be father and uncle of co-accused Prashant Kumar.

Learned APP submits that the thrust of accusation is against co-accused Prashant Kumar but it is alleged that father and uncle facilitated the kidnapping of the daughter of the informant.

Considering the fact that thrust of accusation is against co-accused Prashant Kumar and statement being made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender



before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Muzaffarpur in connection with Sakra P.S. Case No. 312 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

