

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68562 of 2018

Arising Out of PS. Case No.-470 Year-2017 Thana- BIHPUR District- Bhagalpur

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1. Budhani Devi @ Sapna Devi , W/o Sanjit Singh, D/o Bahadur Singh, resident of Madhav Pur, P.S.- Parvatta, District- Bhagalpur, At present- Patla, P.S.- Maheshkut, District- Khagaria.
 2. Arbind Kumar Singh, Son of Bahadur Singh, At- resident of Madhavpur, P.S.- Parvatta, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishore Singh
For the Opposite Party/s : Mr.Sri Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 363, 366A, 379/34 of the Indian Penal Code.

The prosecution case, in short, is that when the informant got up at night, he did not find his daughter at his house and it was suspected that her daughter has been kidnapped by the accused persons for the purpose of marriage.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioner has been made accused due to mistake of fact. The victim has been examined under Section 164 Cr.P.C. in which she has not levelled any allegation of sexual abuse or assault by the accused persons. The allegations made in the F.I.R. is not supported by the victim in the said statement.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Naugachhiya at Bhagalpur in connection with Bihpur (Bhawanipur) P.S. Case No. 470 of 2017, S. Tr. No. 269 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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