

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50524 of 2018

Arising Out of PS. Case No.-129 Year-2017 Thana- KALYANPUR District- Samastipur

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1. Pramila Devi, W/o Sundeshwar Rai,
 2. Sundeshwari Rai @ Sindeshwari Rai S/o Late Yaudni Rai,
All Residents of Vill.- Surhi Kharshand, P.S.- Kalyanpur, District- Samastipur.
- Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri
For the Opposite Party/s : Mr.Sri Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 19-02-2019 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 and 366A/34 of the Indian Penal Code.

The prosecution case as per the written report of Pragash Sahni submitted to the Station House Officer of Kalyanpur Police Station is to the effect that on 21.07.2017 at 6.00 A.M., the daughter of the informant, Rangila Kumari while going to the school was being kidnapped by all the accused persons including the petitioners. It is alleged that five accused persons including the petitioners were standing on the embankment and as soon as the daughter of the informant reached on the embankment, the daughter of the informant was



forced by co-accused Ram Sewak Rai, Geeta Devi and petitioner no. 1, Pramila Devi to sit on a motorcycle and the motorcycle was driven by co-accused Pappu Rai, thereafter, despite of hectic search being made the daughter of the informant is still traceless.

It is submitted by learned counsel for the petitioners that the accusation of kidnapping and forcing the victim to sit on the motorcycle is against petitioner no. 1 and the petitioners have falsely been roped in the present case since they are on inimical term with the informant's side. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that in the subsequent statement the informant has alleged that the petitioners also assisted the main accused Pappu Rai in commission of the offence and they are named in the FIR.

Considering the fact that for the occurrence of 21.07.2017, the FIR was registered on 25.08.2017, the FIR does not suggest any specific accusation against the petitioners and it appears that co-accused Ram Sewak Rai, against whom there is accusation of forcing the victim to sit on the motorcycle, has been granted bail by a co-ordinate Bench of this Court vide



order dated 03.05.2018 passed in Cr. Misc. No. 17474 of 2018, coupled with the statement 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 Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No. 129 of 2017 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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