

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46329 of 2019

Arising Out of PS. Case No.-317 Year-2018 Thana- RIGA District- Sitamarhi

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1. SANJAY DAS Son of Kuldeep Das Resident of Village- Sonar Goat, P.S.- Riga, District- Sitamarhi.
 2. Gulshan Das Son of Sanjay Das Resident of Village- Sonar Goat, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Mishra

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Riga P.S. Case No. 317 of 2018, disclosing the offence under Sections 363, 366-A/34 of the Indian Penal Code.

Petitioners no. 1 and 2 are father and son. There is allegation in the FIR of kidnapping of the informant's daughter who was a minor. The victim has made her statement under Section 164 of the Cr.P.C. stating that when she was going for coaching classes, the petitioners kidnapped her after making her unconscious.

Learned counsel appearing on behalf of the petitioners has submitted that neither in the FIR nor in the



statement of the victim recorded under Section 164 of the Cr.P.C. there is any disclosure about the alleged purpose of kidnapping. It has also been submitted that there is no allegation against the petitioners of any misbehaviour with the victim. It has been added that it is highly improbable that father and son would indulge in such activity as alleged in the FIR.

I find substance in submission made on behalf of the petitioner for the purpose of considering this application for grant of anticipatory bail.

This application is allowed. Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned A.D.J.-1st, Sitamarhi in Riga P.S. Case No. 317 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on



two consecutive occasions, their bail bonds shall be liable
to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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