

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51318 of 2019

Arising Out of PS. Case No.-212 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. RAJNI DEVI Wife of Kanhaiya Mahto Resident of Village - Ulao, P.S.- Muffasil (Singhaul O.P.), District - Begusarai
 2. Niki Kumari D/O - Anuj Mahto Resident of Village - Ulao, P.S.- Muffasil (Singhaul O.P.), District - Begusarai
 3. Murari Kumar @ Murari Son of Satrugan Mahto Resident of Village - Ulao, P.S.- Muffasil (Singhaul O.P.), District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mufassil Police Station Case No. 212 of 2019, disclosing offences under Sections 363/366/34 of the Indian Penal Code.

The allegation against the petitioners, as per the First Information Report, is that on 20.04.2019, the daughter of the informant, aged about 19 years, along with her 7-months old daughter, have been abducted by the petitioners, when the daughter of the informant had gone to get treatment of her ailing daughter.



Learned Senior Counsel for the petitioners submits that from perusal of the First Information Report, it is evident that the alleged occurrence took place on 20.04.2019; whereas the First Information Report has been lodged on 02.05.2019, i.e. after a delay of 12 days, falsely implicating the petitioners. He further submits that the parties are agnates and the petitioners have been dragged in this case with oblique motive. He, relying on paragraphs 11, 12, and 13 of this application, submits that in course of investigation, independent witnesses have stated that the victim girl was married with a boy, who was not to her liking and she has fled away with another boy on her own free will.

After having heard learned Counsel for the parties and taking into consideration the fact that there is considerable delay in lodging of the First Information Report and the independent witnesses, in course of investigation, have stated otherwise, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, 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 learned Chief Judicial Magistrate, Begusarai, in connection with Mufassil Police Station Case No. 212 of 2019, subject to the condition 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.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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