

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55637 of 2019

Arising Out of PS. Case No.-317 Year-2019 Thana- LAKHISARAI District- Lakhisarai

1. BIKKI KUMAR Son of Late Ashok Mandal Resident of Village - Santar Muhalla, P.S.- Lakhisarai, District - Lakhisarai.
2. Sita Devi @ Mala Devi Wife of Late Ashok Mandal Resident of Village - Santar Muhalla, P.S.- Lakhisarai, District - Lakhisarai.
3. Anjali Kumari Daughter of Ashok Mandal Resident of Village - Santar Muhalla, P.S.- Lakhisarai, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Raju
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-09-2019 This application, for grant of anticipatory bail, arises out of Lakhisarai (Kabaiya) P.S. Case No. 317/2019, disclosing offences under Sections 366A/34 of the Indian Penal Code and Section 8 of POCSO Act.

Prosecution case is that brother of the petitioner no. 1 has kidnapped the minor daughter of the informant and it is alleged that the petitioners have also assisted him in kidnapping.

Submission of learned counsel for the petitioners is that they have been made accused in this case only on the basis of suspicion and except that there is nothing against the petitioners.

Learned counsel for the State opposed the prayer for bail on the ground that the girl is still traceless.



Having heard both sides, considering the fact that petitioner nos 2 and 3 are ladies, as such, in the event of their arrest or surrender before the court below within two weeks from receipt of order be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge -I-cum-Special Judge, Lakhisarai, in connection with Lakhisarai (Kabaiya) P.S. Case No. 317/2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no. 1 is concerned, I am not inclined to grant the privilege of anticipatory bail to him rather he may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is accordingly, disposed of.

(Vinod Kumar Sinha, J)

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