

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58429 of 2019

Arising Out of PS. Case No.-310 Year-2016 Thana- PURNEA SADAR District- Purnia

1. Ankesh Kumar.
2. Krishna Kumar @ Sachin.
Both are son of Subodh Sah, resident of Village - Haflaganj, P.S.- Muffasil,
Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 366/34 of the Indian Penal Code
registered in connection with Sadar P.S. Case No. 310/2016.

3. It is submitted that the petitioner has been falsely
implicated on the accusation of kidnapping of the informant's
daughter. As a matter of fact, the informant's married daughter
was in love with the petitioner no.1 with whom she has herself
solemnized marriage with the consent of her husband and
thereafter also had an issue from the marriage. The petitioner
no.2 is the brother of petitioner no.1 and both claim clean
antecedent.



4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 310/2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the



learned Court concerned.

(v). The petitioners shall appear before the learned court below along with the victim girl.

5. The provisional bail granted to the petitioners' shall be confirmed by the learned court below upon appearance of the victim girl, within a further period of four weeks after furnishing bail bonds, failing which their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

Prakash Narayan /-

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