

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57243 of 2019

Arising Out of PS. Case No.-173 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

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1. Sambhu Paswan Son of Chorasi Paswan Resident of Village - Ramchandrapur, P.S.- Goradih, District- Bhagalpur
 2. Bandhuk Paswan @ Dinabandhu Paswan Son of Chorasi Paswan Resident of Village - Ramchandrapur, P.S.- Goradih, District- Bhagalpur
 3. Mukesh Paswan Son of Paro Paswan Resident of Village - Damuchak, P.S.- Goradih, District- Bhagalpur

... .. Petitioners

Versus

1. The State Of Bihar
2. Gopal Yadav Son of Late Prayag Yadav Resident of Village- Ramchandrapur, P.S.- Goradih, District- Bhagalpur

... .. Opposite Parties

Appearance :

For the Petitioners : Mr.Anil Kumar Singh, Advocate
For the Opposite Parties : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in connection with **Jagdishpur (Goradhi) P.S. Case No. 173 of 2019** instituted for the offence under Section(s) 363 and 365/34 of the Indian Penal Code.

Statement of the victim girl is relied upon by the petitioners' counsel. Copy of the same is Annexure- 2 to the bail petition. From perusal of



the same, it appears that the alleged victim, on her own volition, had accompanied the instant petitioner No.1. The petitioner Nos. 2 and 3 are brother and acquaintance of petitioner No.1.

Learned APP has opposed the prayer for bail by submitting that it is a case of kidnapping.

Considering the rival submissions of the parties, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners before the court below, named above, within four (04) weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **C.J.M. Bhagalpur**, in connection with **Jagdishpur (Goradhi) P.S. Case No. 173 of 2019**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the



petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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