

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58043 of 2019

Arising Out of PS. Case No.-190 Year-2019 Thana- GARKHA District- Saran

1. BHARAT SAH Son of Late Sukhdeo Sah Resident of Village - Mohammadpur, P.S.- Garkha, District- Saran at Chapra
2. Chinta Devi Wife of Bharat Sah Resident of Village - Mohammadpur, P.S.- Garkha, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Srivastva

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 13-09-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Garkha Police Station Case No. 190 of 2019, disclosing offences under Sections 363/366-A/34 of the Indian Penal Code.

The allegation against the petitioners, as per the First Information Report, is that on 20.01.2019, Roshan Kumar, son of the petitioners, has abducted the daughter of the informant, Sapna Kumari.

Learned Counsel for the petitioners submits that the petitioners have falsely been dragged in this case merely on the basis of the fact that the petitioners happened to be the parents of said Roshan Kumar, who had allegedly abducted the daughter of the informant. He, relying on Annexure-2, which is the statement of the victim girl, under Section 164 of the Code of



Criminal Procedure, 1973, recorded by learned Magistrate, submits that the victim girl has stated that she had love affairs with said Roshan Kumar and has married with him out of her own will.

After having heard learned Counsel for the parties and taking into consideration the fact that the victim girl, in her statement under Section 164 of the Code of Criminal Procedure, 1973, did not allege anything against the petitioners, 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, Saran, at Chapra, in connection with Garkha Police Station Case No. 190 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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