

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59259 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- PANAPUR District- Saran

1. ANKIT KUMAR Son of Radhe Shyam Sah Resident of Village - Totaha Jagatpur, P.S. - Panapur, District - Saran (Chapra)
2. Indal Kumar Son of Bhola Sah Resident of Village - Totaha Jagatpur, P.S. - Panapur, District - Saran (Chapra)
3. Mithesh Kumar Son of Lawtan Sah Resident of Village - Totaha Jagatpur, P.S. - Panapur, District - Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kapil Deo Singh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Panapur P.S. Case No.20 of 2019 registered under Sections 341, 323, 379, 506 and 354 of the Indian Penal Code.

The accusation is that on 01.02.2019 at about 03.00 P.M., Nikki Kumari, the daughter of the informant Shilpi Kunwar, had gone to take the school uniform of her brother on bicycle. When the daughter of the informant was returning, in the way, at a lonely place, these petitioners pushed her down through motorcycle, due to which she fell down. Thereafter,



Ankit Kumar (petitioner no.1) lifted the daughter of the informant from the ground and he and Indal Kumar (petitioner no.2) took her away to Sisai pond and pointing the knife on her stomach, threatened her to cut her stomach, if she would raise alarm. Thereafter, the petitioner no.3, namely, Mithesh Kumar alias Mangru took away the bicycle of the daughter of the informant on which the dress was kept. After taking away the daughter of the informant to Sisai pond, they tied her mouth, hand and leg and the petitioner no.1 took Rs.60/- from her. When the daughter of the informant did not return till 04.00 P.M., attempt for her search was started and, in that course, Manjeet Kumar, the nephew of the informant, saw these petitioners and one Lalu and when Manjeet Kumar made query to them about Nikky Kumari, they did not give satisfactory reply. Thereafter, Anish Kumar after dropping the daughter of the informant by motorcycle to her house went away saying that the petitioner no.1 had taken away her daughter.

Learned counsel for the petitioners submits that while the alleged occurrence is said to be of 01.02.2019 but the present F.I.R. was lodged on 09.02.2019, i.e., after eight days of the occurrence, which clearly indicates that due to dirty village politics, the present case has been lodged. The petitioners have



no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Saran at Chapra, in connection with Panapur P.S. Case No.20 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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