

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69323 of 2018

Arising Out of PS. Case No.-168 Year-2011 Thana- PIRPAINTI District- Bhagalpur

1. Darogi Mandal, son of Maneshi Mandal
2. Maneshi Mandal, son of Late Mahabir Mandal
Both resident of village Parshurampur Balu Tol, P.S.- Pirpaiti, District- Bhagalpur.
3. Mantu Mandal, son of Amin Mandal, r/o- Kali Prasad All, P.S.- Pirpaiti, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 366A, 120B/34 of the Indian Penal Code.

The prosecution case, in short, is that when daughter of the informant went to attend the call of nature, she was kidnapped by the accused persons.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the



present case. A number of witnesses in paragraphs 14, 15, 16, 17, 30, 35, 51 and 57 of the case diary have denied the allegations made in the F.I.R. It is not a case of abduction. The police after investigation has submitted final form against the petitioner finding the case to be false against the petitioners. The Court below has differed with the said police report and taken cognizance in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 A.C.J.M. -XI Bhagalpur in connection with Pirpainty P.S. Case No. 168 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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