

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67207 of 2019

Arising Out of PS. Case No.-286 Year-2019 Thana- BRAHMPUR District- Buxar

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1. KANHAIYA RAM
 2. Jhuna Ram @ Jhuna Kumar
 3. Arun Ram
All S/o Gulab Ram
 4. Sumita Devi W/o Munna Ram
All Resident of Village- Ariyawon, P.S.- Krishna Brahm, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar Pandey
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-10-2019 Learned counsel for the petitioners submits that Arun Ram(petitioner No.3) has already been arrested.

In this view of the fact, anticipatory bail petition of petitioner No.3 is dismissed as has become infructuous.

Heard both sides.

The petitioners apprehend their arrest in Brahmpur P.S. Case No.286 of 2019 registered under Sections 366A and 34 of the Indian Penal Code.

The informant alleged that petitioners kidnapped his minor daughter on 27.05.2019.

The learned counsel for the petitioners submits that



the victim returned and filed petition in the Court that nobody kidnapped her. She apprehended danger of her life at the hands of her parents and that is why she fled away with Kanhaiya Ram. The victim did not make any sorts of allegation against Kanhaiya Ram. Even the victim by the order of the Court went along with her relation, Sukar Ram and not with her parents.

On the other hand, learned counsel for the informant as well as learned A.P.P. vehemently opposed the prayer for anticipatory bail and submits that victim is a minor girl and, therefore, the petitioners do not deserve anticipatory bail.

It appears that informant of course made allegation against all the accused persons including three petitioners that they kidnapped the victim but the victim herself appeared in Court and filed petition that since she apprehended danger of life at the hands of her parents, she fled away along with her classmate and friend Kanhaiya Ram. She did not make any sorts of allegation against Kanhaiya Ram.

Taking into consideration the facts aforesaid, let the petitioner No.1, namely, Kanhaiya Ram, petitioner No.2, Jhuna Ram @ Jhuna Kumar and petitioner No.4 namely, Sumita Devi, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of



receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Brahmpur P.S. Case No.286 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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