

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74220 of 2019

Arising Out of PS. Case No.-176 Year-2017 Thana- KESARIA District- East Champaran

1. NISHANT SHEKHAR Son of Late Nand Kishore Singh @ Nandu Singh Resident of Village- Darmaha, Tola, Chintamanpur, P.S.- Kesaria, District- East Champaran.
2. Dhananjay Singh Son of Ved Prakash Thakur Resident of Village- Mishrauliya, P.S.- Chiraiya, District- East Champaran.
3. Pushpa Devi Wife of Late Nand Kishore Singh @ Nandu Singh Resident of Village- Darmaha, Tola, Chintamanpur, P.S.- Kesaria, District- East Champaran.
4. Soni Devi Daughter of Late Nand Kishore Singh @ Nandu Singh Resident of Village- Darmaha, Tola, Chintamanpur, P.S.- Kesaria, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-12-2019 This application, for grant of anticipatory bail, arises out of Kesaria P.S. Case No. 176 of 2017, disclosing offences under Sections 363, 366(A) and 34 of the Indian Penal Code.

Allegation against the petitioners is of kidnapping the minor daughter of the informant.

Submission of learned counsel for the petitioners is that as a matter of fact the girl has fled away with co-accused Ashutosh Singh and she has been recovered and her statement



was recorded, in which, she has stated that she had married with the Ashutosh Singh. Petitioner no. 1 happens to be brother of co-accused Ashutosh Singh, petitioner no. 2 is his brother in law, petitioner no. 3 and 4 are mother and sister of co-accused Ashutosh Singh.

Learned counsel for the State opposed the prayer for anticipatory bail on the ground that the petitioners are named in the F.I.R. and case is of the year 2017 but in spite of that they had not appeared earlier.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather this application is disposed of with direction to the petitioner to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the materials available on record as well as on the submission of learned counsel for the petitioners, without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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