

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69900 of 2019

Arising Out of PS. Case No.-404 Year-2019 Thana- NAUBATPUR District- Patna

1. Gaya Saw @ Gaya Sao, aged about 65 years, Male, Son of Shiv Saw, Resident of Village - Uchouri, P.S.- Naubatpur, District – Patna.
2. Niranjana Sao @ Niranjana Kumar, aged about 35 years, Male, Son of Gaya Sao @ Gaya Saw, Resident of Village - Uchouri, P.S.- Naubatpur, District – Patna.
3. Deepak Sao @ Deepak Kumar, aged about 31 years, Male, Son of Gaya Sao @ Gaya Saw, Resident of Village - Uchouri, P.S.- Naubatpur, District – Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sanjay Kumar Mishra, Adv.
For the Opposite Party : Mr. Shailendra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Naubatpur P. S. Case No. 404 of 2019, registered for the offence
punishable under Section 366A of the Indian Penal Code.

First Information Report discloses that it was co-
accused Neeraj Kumar, who kidnapped the victim. However, the
victim returned and her statement under Section 164 of the
CrPC was recorded. The victim claimed in her statement that
petitioner no. 1, namely, Gaya Saw and Upendra Saw as well as



Neeraj Kumar took her to Maharashtra and after that she was brought to Delhi along with Neeraj Kumar whereas petitioner no. 1 and Upendra Saw returned to Patna. She, further, claimed that she solemnized her marriage with Neeraj Kumar by her own sweet will and petitioner no. 1 did not allow her to meet with Neeraj Kumar.

Learned counsel for the petitioners submits that petitioner no. 1 is father whereas petitioner nos. 2 and 3 are brothers of aforesaid Neeraj Kumar. It is further submitted that the statement of victim contradicts the claim of informant as informant claimed in her written report that after kidnapping of the victim, when she went to the house of petitioner no. 1, she found petitioners at their home and, therefore, the aforesaid claim of the victim demolishes the claim of the informant.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that the petitioners, above named, in the event of their arrest/surrender within six weeks from the date of receipt of this order to the court concerned, shall 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 Additional Chief Judicial Magistrate-II, Danapur,



Patna in connection with Naubatpur P. S. Case No. 404 of 2019,
subject to conditions as laid down under Section 438(2) of the
CrPC.

(Hemant Kumar Srivastava, J)

Rajeev Kumar/-

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