

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 21384 of 2020

1. Suraj Ram @ Suraj Kumar, S/o Lal Babu Ram
 2. Lal Babu Ram, son of Late Nandu Ram,
 3. Lalmuni Devi, W/o Lal Babu Ram
 All resident of Village-Ramchandra Dhaka, P.S.-Dhaka, East
 Champaran.

... .. Petitioners

Versus

The State of Bihar

.. ... Opposite Party

Appearance :

For the Petitioners : Mr. Shiva Shankar Sharma, Advocate
 Mr. Arun Kumar Sinha, Advocate
 For the Respondent State: Mr. Binod Kumar 3, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-07-2020 Heard Mr. Shiva Shankar Sharma, learned counsel
 appearing on behalf of the petitioners and Mr. Binod Kumar 3,
 learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of anticipatory bail arises out of Dhaka P.S. Case No. 456 of 2019, registered for the offence punishable under Section 363, 366(A), 120/34 of the Indian Penal Code.

Petitioner No.1 is brother, petitioner No.2 is father and petitioner No.3 is mother of co-accused Sujit Kumar. There is allegation of kidnapping of the informant's minor daughter against said Sujit Kumar.

Learned counsel appearing on behalf of the petitioners has submitted that the entire case of kidnapping of the victim is absolutely malicious. He has drawn my attention to an



informatory petition filed by the alleged victim before the Sub-Divisional Officer, Motihari, to the effect that she had left her parental house out of her own volition for marrying said Sujit Kumar.

On perusal of the First Information Report, I do not find any direct involvement of these petitioners in the alleged kidnapping, in any view of the matter.

Considering the above, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sikrahana at Dhaka, East Champaran, in Dhaka P.S. Case No. 456 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

It is indicated that defect, if any, shall be removed within two months.



Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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