

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87119 of 2019

Arising Out of PS. Case No.-320 Year-2019 Thana- GOVINDGANJ District- East
Champaran

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1. BIGAN PANDIT Son of Late Paltan Pandit Resident of Village - Bahadurpur , Ward No.14, P.S.- Govindganj, Distt.- East Champaran.
 2. Sagar Pandit @ Ram Sagar Pandit Son of Late Paltan Pandit Resident of Village - Bahadurpur , Ward No.14, P.S.- Govindganj, Distt.- East Champaran.
 3. Lalbabu Pandit Son of Late Paltan Pandit Resident of Village - Bahadurpur , Ward No.14, P.S.- Govindganj, Distt.- East Champaran.
 4. Ramjanam Pandit Son of Late Paltan Pandit Resident of Village - Bahadurpur , Ward No.14, P.S.- Govindganj, Distt.- East Champaran.
 5. Rambabu Pandit Son of Late Paltan Pandit Resident of Village - Bahadurpur , Ward No.14, P.S.- Govindganj, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shri Prakash Srivastava
For the Opposite Party/s	:	Mr.Sanjay Kumar Tiwary
For the Informant	:	Mr. Bhola Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-01-2020 Petitioners seek bail in anticipation of their arrest in connection with Govindganj (Areraj O.P.) P.S. Case No. 320 of 2019 registered for the offences punishable under Sections 363, 366A and 34 of the Indian Penal Code.

As per FIR there is allegation of kidnapping of minor daughter of the informant and further from perusal of the statement of the victim girl recorded under Section 164 Cr.P.C. it appears that she named only petitioner Nos. 1 and 2 and one Motilal Pandit as the persons involved in the occurrence of



kidnapping along with one Rahul Pandit.

Submission of learned counsel for the petitioners is that there is delay of 10 days in lodging FIR and furthermore they have falsely been implicated in this case only because they happen to be maternal uncle of Rahul Pandit, who is the main accused.

Heard learned APP and learned counsel for the informant, who has submitted that the girl was recovered and thereafter a writ petition was filed before this Court and thereafter the present case has been lodged and there is allegation against petitioner Nos. 1 and 2 and so far petitioner Nos. 3 to 5 are concerned, they are residing along with Rahul Pandit.

In view of above facts and circumstances, let petitioner Nos. 3 to 5, in the event of surrender, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, East Champaran, Motihari, in connection with Govindganj (Areraj O.P.) P.S. Case No. 320 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person



having sufficient immoveable property within the jurisdiction of the court concerned.

So far petitioner Nos. 1 and 2 are concerned, I am not inclined to grant them the privilege of anticipatory bail. They have to surrender and pray for regular bail.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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