

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12686 of 2020

Arising Out of PS. Case No.-395 Year-2019 Thana- KORHA District- Katihar

1. Udesh Kumar, Son of Akhilesh Mahaldar @ Akhilesh Mandal, Resident of Village - Musapur, P.S.- Korha, Distt - Katihar.
2. Abhishek Kumar, Son of Akhilesh Mahaldar @ Akhilesh Mandal, Resident of Village - Musapur, P.S.- Korha, Distt - Katihar.

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 25-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioners are apprehending their arrest in connection with Korha P.S. Case No. 395 of 2019 instituted for offence under Section 363, 366, 506/34 of Indian Penal Code.

Briefly stated allegations made in the F.I.R dated 04.10.2019 are that while the informant and his wife were working outside their house and when they returned back, his wife found that her daughter namely Kajal was missing. She was informed by her daughter Laxmi Kumari that co-accused Punam Devi called Kajal and after that she did not return home. After searching, when the informant failed to found his daughter he named all the accused persons in F.I.R that with a conspiracy



they kidnapped his daughter Kajal aged about 15 years on 03.10.2019.

It is submitted by learned counsel appearing on behalf of the petitioners Shri Bhola Prasad that petitioner nos. 1 and 2 are innocent and they have not committed any offence as alleged in the F.I.R.

It has further been submitted that from the bare perusal of the statement of the victim under Section 164 of the Cr.P.C., she has not named these two petitioners.

On the other hand, learned APP appearing on behalf of the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and specific allegation against Nathu Mahaldar and other accused persons and there is no specific allegations against the petitioners, the prayer for anticipatory bail to the petitioner nos. 1 and 2 is allowed. Let the petitioner nos. 1 and 2, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Korha P.S. Case



No. 395 of 2019 subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

Accordingly, the present petition is stands disposed
off.

(Purnendu Singh, J)

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