

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26919 of 2020

Arising Out of PS. Case No.-266 Year-2017 Thana- MANER District- Patna

1. Rajani Devi, Wife of Rajendra Choudhary, Resident of Vill - Sherpur, P.O. - Sherpur Purvi, P.S. - Maner, District - Patna.
2. Bittu @ Bittu Kumar, Son of Rajendra Choudhary, Resident of Vill - Sherpur Purvi, P.O. - Sherpur, P.S. - Maner, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Suresh Singh, Adv.
For the Opposite Party/s	:	Mr.Ganesh Prasad Singh, APP
For the Informant	:	Mr. Rajeev Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 19-01-2021 Heard learned counsel for the petitioners, Mr. Rajeev Kumar, learned counsel for the informant and Mr. Ganesh Prasad Singh, learned APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Maner P.S. Case No.266 of 2017 registered for the offences punishable under Section 363 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that the both the parties are co-sharers and the whole family of the petitioners have been implicated in order to put pressure upon them. It is submitted that there has been a compromise and a joint compromise petition has been filed by the



parties.

Learned APP for the State as well as learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case wherein the victim boy has allegedly been recovered, he has made statement that he was taken away by elder brother of his father and the wife of the elder brother of the father and was left in a hotel, the elder brother of the father of the victim boy has been granted privilege of regular bail by the learned court below in B.P. No.470/2019, the petitioner no.1 is the wife of elder brother of the father and it is stated that both the parties are co-sharers and the whole family of the petitioners have been implicated in order to put pressure upon them, there has been a compromise and a joint compromise petition has been filed by the parties, so far as petitioner no.2 is concerned, the victim boy has not alleged any active participation in the alleged occurrence, let the petitioners above-named in the event of their arrest or surrender within a period of four weeks from today in connection with Maner P.S. Case No.266 of 2017 be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Danapur, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available



for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

