

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27175 of 2020

Arising Out of PS. Case No.-72 Year-2020 Thana- GOGRI District- Khagaria

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1. Ankit Kumar Sinha Resident of Village-Bhojua, Ward No.7, P.S.-Gogri, District-Khagaria.
 2. Ashish Kumar Sinha @ Ashish Kumar Resident of Village-Bhojua, Ward No.7, P.S.-Gogri, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Adv.
For the Opposite Party/s	:	Dr. Indivar Kumari, APP
For the Informant	:	Mr. Binod Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

03 22-01-2021

Heard learned counsel for the petitioners, learned

APP for the State and learned counsel for the informant.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Gogri P.S. Case No.72 of 2020, registered under sections 363, 366A and 34 of the Indian Penal Code.

As per allegation in the F.I.R., it is stated by the informant that on 2.3.2020 his daughter went to the K.D.S. College for filling up the form at about 11.30 am but thereafter did not return. She was carrying two mobile numbers as mentioned in the F.I.R. It is further stated that he is convinced that the petitioners herein have a hand in her kidnapping. It is



further stated that Anilesh Kumar Sinha and Ashish Kumar Sinha have abused him and his family in the past and threatened of killing them.

It is submitted by learned counsel for the petitioners that even from perusal of the F.I.R., except for an unfounded and unsubstantiated suspicion raised by the informant against the petitioners herein, neither there is any material against the petitioners in the F.I.R. nor has any material transpired in course of investigation. The petitioners happen to be the *gotia* of the informant and have been falsely implicated for oblique reasons. There was a delay of 4 days in lodging of the F.I.R. and the petitioners have no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

It is submitted by learned counsel for the informant that not only the petitioners are named in the F.I.R. but there is direct allegation against them. It is further submitted that the daughter of the informant still continues to be traceless and for this reason as also for the threats given to the informant in the past, the instant application for anticipatory bail should be rejected.

Having heard learned counsel for the parties and



on the submissions made with respect to the material that has transpired in course of investigation, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Gogri P.S. Case No.72 of 2020, they will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

It is further directed that the petitioners shall cooperate with the Investigating Officer in the investigation of the case.

(Partha Sarthy, J)

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