

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6738 of 2022

Arising Out of PS. Case No.-157 Year-2021 Thana- WARISNAGAR District- Samastipur

1. Umesh Mahto Son Of Late Jugeshwar Mahto Resident Of Village- Begampur, Police Station- Warisnagar, District- Samastipur
2. Ranjita Devi Wife Of Umesh Mahto Resident Of Village- Begampur, Police Station- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 01-12-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 363, 366(A)/34 of the Indian Penal Code.

It is alleged that minor daughter of the

informant has been kidnapped by all the F.I.R named

accused persons including the petitioners.

It is submitted by learned counsel for the

petitioners that petitioners are innocent and they have

falsely been implicated in this case. For the alleged



occurrence of 28.06.2021, the F.I.R has been registered on 09.07.2021 without explaining the delay. The victim had talking term with co-accused Brajesh Rai and she has eloped with him. The petitioners are cousin grandfather and grand-mother of the victim and they have been implicated in this case since there is a dispute between the parties for partition of the property. The petitioners have no concern with co-accused Brajesh Rai. A statement has been made in para 3 of the petition that petitioners are accused in one other case apart from the present one.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that victim is minor aged about 13 years and she is still traceless. From perusal of the case diary, it appears that the accusation against the petitioners were found true during course of investigation.

In the facts and circumstance of the case, this



Court is not inclined to grant privilege of anticipatory bail to the petitioners.

The prayer for grant of anticipatory bail to the petitioners stands rejected.

The petitioners are directed to surrender before learned Court below and pray for regular bail. The learned Court below may consider the regular bail of the petitioners without being prejudiced by the order of this Court.

(Sunil Kumar Panwar, J)

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