

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10873 of 2022

Arising Out of PS. Case No.-1024 Year-2021 Thana- KHAJANCHI HAT District- Purnia

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1. BIRENDRA JHA S/o Late Rama Nand Jha
 2. Sunita Devi W/o Birendra Jha
 3. Shambhu Nath Jha @ Gangan Jha S/o Birendra Jha
 4. Kanhaiya Jha @ Krishna Kanhaiya Jha S/o Birendra Jha
All R/o village - Kasari, P.S. - Antichak, District - Bhagalpur
- Petitioner/s
- Versus
- The State of Bihar
- Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar, Advocate
For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341, 323,
366(A), 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners have antecedent of 3 cases under minor sections of
the Indian Penal Code as recorded in para 3 of the anticipatory
bail application.

The informant alleges that her minor daughter, aged
about 17 years, who was studying in Harda College, used to go



to the college where accused Manish Kumar Jha teased her for which complaint was made to his father who assured that Manish Kumar Jha will not indulge in such activity in future. On 29.10.2021, at about 2 p.m., while her daughter was returning home from the college then Manish Kumar Jha along with 3-4 unknown persons kidnapped her by a Bolero vehicle for the purposes of marriage and when the informant on coming to know reached the house of Manish Kumar Jha then he started abusing the informant and was adamant to assault her and the petitioners extended threat to the informant with dire consequences.

Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation is alleged against the petitioners and the thrust of allegation is against Manish Kumar Jha. He further submits that from perusal of the allegation, it would manifest that Manish Kumar Jha and the victim were in love and it has become rampant to implicate the entire family members whenever such occurrence takes place where a girl and a boy elopes on their own free will. He, thus, submits that even the FIR does not allege that it was the petitioners who were instrumental in getting the victim kidnapped.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 the learned court below where the case is pending/successor court in connection with K. Hat (Maranga) P.S. Case No. 1024 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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