

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27278 of 2021

Arising Out of PS. Case No.-398 Year-2020 Thana- ATRI District- Gaya

1. Md Kere @ Md Navajish @ Kere Mian Son of Md. Rustam Ali @ Rustam Mian @ Roshan Mian Resident of Village - Manjhauli, P.S.- Mimchak Bathani, Distt.- Gaya.
2. Md. Rustam Ali @ Rustam Mian @ Roshan Mian Son of Mokim Mian Resident of Village - Manjhauli, P.S.- Mimchak Bathani, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-01-2022 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 366(A) of the Indian Penal Code.



The prosecution case as per F.I.R that the petitioners have taken away two sons of the informant on the pretext of providing job. It is alleged that one son of the informant namely Satish was recovered with the help of a local N.G.O from Jaipur but the whereabouts of second son of the informant is still not known. The victim Nitish Kumar in his 164 Cr.P.C statement has recorded his age as 13 years and made specific allegation against the petitioners to have forcibly taken away to Jaipur and made assault to the victim.

Considering the fact that there is direct allegation against the petitioners and the victim in his 164 Cr.P.C statement has also corroborate the prosecution version, this Court is not inclined to grant anticipatory bail to the petitioners. The prayer for anticipatory bail of the petitioners stands rejected.

However, if the petitioners surrenders within a period of four weeks from today before learned Court below and pray for regular bail, the same may be



considered by the learned Court below without being prejudiced by the order of this Court.

With the aforesaid observation/direction, the petition stands disposed off.

(Sunil Kumar Panwar, J)

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