

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37191 of 2021**

Arising Out of PS. Case No.-43 Year-2020 Thana- JALALPUR District- Saran

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1. RAJAN KUMAR SAH @ RAJAN SAH
 2. Mintu Kumar Sah @ Mintu Sah
Both are Sons of Gujar Sah, Both are Resident of Village - Pandey Chapra,
P.S.- Rasulpur, District- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366A/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent.

The informant alleges that his daughter Shilpi Kumari, aged about 18 years, was missing since 12.03.2020. A search was made but the victim could not be found and on 15.03.2020 while searching his daughter, the informant found two mobile numbers as detailed in the FIR and when he called the first number he was informed that his daughter has gone



with her friend Ravi Sah. Accordingly, the informant went to the house of Ravi Sah where his brother Rajan Sah said that his daughter will return by 18.03.2020 but she did not return to her house. It is alleged that the FIR named accused persons including the petitioners have kidnapped the daughter of the informant.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and the date of occurrence is 12.03.2020 and the FIR was instituted on 19.03.2020 after an inordinate delay of seven days without any plausible explanation. It is next submitted that even the victim has not supported the prosecution case in her statement under Section 164 of the Cr.P.C. as she has not disclosed the name of any of the accused who had taken her.

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 Jalalpur
P.S. Case No. 43 of 2020, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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