

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38923 of 2021

Arising Out of PS. Case No.-990 Year-2020 Thana- MADHAURAH District- Saran

1. Nirmala Devi Wife of Chandeshwar Sah Resident of Marhowrah Khurd, Ward No. 15, P.S.- Marhowrah, District - Saran.
2. Chandeshwar Sah Son of Manilal Sah Resident of Marhowrah Khurd, Ward No. 15, P.S.- Marhowrah, District - Saran.
3. Raju Kumar @ Raju Sah Son of Chandeshwar Sah Resident of Marhowrah Khurd, Ward No. 15, P.S.- Marhowrah, District - Saran.
4. Rahul Kumar @ Rahul Sah Son of Chandeshwar Sah Resident of Marhowrah Khurd, Ward No. 15, P.S.- Marhowrah, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harish Kumar
For the Opposite Party/s	:	Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-06-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

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

The petitioners apprehend their arrest in connection
with Madhaura/Marhowrah P.S. Case No. 990 of 2020
registered for the offence under Sections 363, 366(A) and 34 of
the Indian Penal Code.

The accused/petitioners are named in the F.I.R.

The allegation against the petitioners is to support the



main accused, namely, Akash Sah, who is alleged to kidnap the daughter of the informant.

Learned counsel appearing on behalf of the petitioners submitted that petitioner no.1 and 2 are the mother and father, respectively, of the main accused, namely, Akash Sah and petitioner no. 3 and 4 are the real brothers of main accused (Akash Sah). It has further been submitted that petitioners, only being family members and close relatives, have been implicated in this case. It has also been submitted that petitioners are persons having clean antecedent.

Learned APP appearing on behalf of the State while opposing the prayer for anticipatory bail fairly conceded that the petitioners are parents and brothers of the main accused, namely, Akash Sah.

Considering the facts and circumstances as mentioned above, as the petitioners have been implicated in this case only for the reason that they are the parents and brothers of the main accused (Akash Sah), let 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 in connection with Madhaura/Marhowrah P.S. Case No. 990 of 2020 on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra, Saran, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further subject to the conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Sanjit Kumar Sah, who is the brother of the petitioner no.2 (Chandeshwar Sah) and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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