

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33214 of 2022

Arising Out of PS. Case No.-413 Year-2019 Thana- PHULPARAS District- Madhubani

1. RAMBOL KAMAT @ RAMBOL KUMAR S/o Jivachha Kamat R/o village- Gram Bradhampura Post- Ghoghardiba, P.S.- Phulpharas, District- Madhubani
2. Doma Kamat @ Doma @ Balram S/o Jivachha Kamat R/o village- Gram Bradhampura Post- Ghoghardiba, P.S.- Phulpharas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-11-2022 Heard learned counsel for the petitioners, Mr. Ranjay Kumar Singh and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363 and 366A of the Indian Penal Code.

No one appears on behalf of the informant.

The informant alleges that her minor daughter aged about 17 years was kidnapped by Rambol Kamat in connivance with Nitu, thereafter, he went to the house of Rambol to inquire but his parents and elder brother abused.

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



further submits that petitioners have been falsely implicated in the present case, it is next submitted that the victim and Rambol Kamat were in love and as such, they eloped and even got married, it is next submitted that the victim returned and her statement was recorded under Section 164 CrPC, wherein, she supported the prosecution case. Learned counsel next submits that since the victim had no option but to support the prosecution case and the said statement was made under parental pressure, it is next submitted that after the victim made her statement under Section 164 CrPC, thereafter, again she came back to the house of Rambol Kamat and is staying with him as husband and wife. Learned counsel next submits that as far as petitioner No. 2 is concerned, he is elder brother of Rambol kamat and as such, was implicated in the case alleging that he and his family members abused when informant had gone to inquire about the occurrence of kidnapping of his minor daughter.

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 trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Phulpharas P.S. Case No. 413 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event if the victim files and application before the learned Trial Court bringing to its notice that she is not staying with Rambol Kamat as husband and wife and the Court was misled for the purposes of bail, then the learned Trial Court after giving an opportunity of hearing to Rambol Kamat shall pass orders in accordance with law and will also have liberty to cancel the bail bonds of Rambol Kamat only.

(Satyavrat Verma, J)

HarshPandey/-

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