

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36016 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- LAKHISARAI District- Lakhisarai

1. DHARMENDRA VERMA SON OF KISHOR PRASAD VERMA @ KISHORE VERMA R/O- JAINAGAR LALI PAHARI, P.S.- KABAIYA, DIST.- LAKHISRAI
2. NARAIN KUMAR @ NARAIN VERMA SON OF KISHOR PRASAD VERMA @ KISHORE VERMA R/O- JAINAGAR LALI PAHARI, P.S.- KABAIYA, DIST.- LAKHISRAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioners, learned counsel for the informant 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 363 and 366(A)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners have antecedent of one case.

The informant alleges that in the morning, when he woke up, he found his minor daughter missing and cash of Rs.2 lakhs along with ornaments were also missing. On inquiry, he



came to know that accused persons including the petitioners were blackmailing the daughter of the informant as detailed in the FIR, thus, alleges that his daughter has been kidnapped.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that the date of occurrence is 18.01.2022 and the FIR has been instituted on 25.01.2022. It is next submitted that from tenor of allegation, it appears that the victim on her own volition had left her house or else would not have taken money and ornaments. It is also submitted that the victim has come back and her statement was recorded under Section 164 Cr.P.C. wherein she has not supported the prosecution case as has been specifically pleaded at para 8 of the anticipatory bail application.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners but are not able to rebut the submission of the learned counsel for the petitioners that there is delay in instituting the FIR and the victim has not supported the case of the prosecution in her statement recorded under Section 164 Cr.P.C.

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.5,000/- (Rupees Five 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 Lakhisarai (Kabaiya) P.S. Case No. 71 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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