

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1178 of 2022

Arising Out of PS. Case No.-142 Year-2021 Thana- MAKHDUMPUR District- Jehanabad

1. Abhay Kumar Sinha Son Of Dinesh Mahto R/O Village- Sikariya, P.S.- Parasbigha, Dist.- Jehanabad
2. Khushbu Kumari @ Khushboo Kumari Wife Of Abhay Kumar Sinha R/O Village- Sikariya, P.S.- Parasbigha, Dist.- Jehanabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 366(A) read with Section 34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners kidnapped the daughter of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners



have been made accused due to mistake of fact. From the persual of the order of the Sessions Court, it appears that the victim has retracted from her earlier statement made under Section 164 Cr.P.C., which led to acquittal of co-accused, namely, Raushan Kumar. The petitioners happen to be the uncle and aunt of the said co-accused Raushan Kumar. It is further submitted that Raushan Kumar and the victim have got married and are living together. Petitioner No.2 is a lady.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Makhdumpur P.S. case No.142 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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