

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8722 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- MAHNAR District- Vaishali

1. Sonu Kumar S/O Mahendra Singh Resident Of Village- Meghpur Singhara, P.S.- Mahua, District- Vaishali.
2. Ram Pravesh Singh S/O Late Ram Charan Singh Resident Of Village- Lodipur, P.S.- Mahnar, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Mahnar P.S. Case No. 92 of 2022 registered for the offences punishable under Sections 365 and 366(A) of the Indian Penal Code .

It is a case of kidnapping of informant's minor daughter Anjali Kumari by the petitioners.

Learned counsel for the petitioners submitted that petitioners have falsely been implicated in this case. It is further submitted that no specific overt act has been attributed against the petitioners. The occurrence took place on 05.04.2022



and the FIR has been lodged on 12.04.2022, after delay of more than seven days without explaining any reasonable cause of delay which cause serious doubt. It is further submitted that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submitted that the statement of the victim recorded under section 164 of the CR.P.C, in which, she has supported the prosecution case.

Considering the statement of victim recorded under section 164 of the Cr.P.C., I am not inclined to grant privilege of anticipatory bail to the petitioners and accordingly, their prayer for anticipatory bail stands rejected.

However, if petitioners surrender before the learned court below within a period of six weeks from today, and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioners, preferably, on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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