

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20804 of 2023

Arising Out of PS. Case No.-299 Year-2022 Thana- GHOSI District- Jehanabad

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1. MITHLESH PRASAD @ MITHLESH KUMAR SON OF KARU TANTI
R/O VILLAGE- TELHARA, P.S.- TELHARA, DISTRICT- NALANDA
 2. DHARMSHILA DEVI WIFE OF MITHLESH PRASAD R/O VILLAGE-
TELHARA, P.S.- TELHARA, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj
For the Opposite Party/s : Mrs. Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-07-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363, 366, 504, 34 of the Indian Penal Code.

3. The allegation against the petitioners is that they along with their son namely, Sujit Kumar abducted the niece of the informant. When the informant went to the house of the petitioners, they abused and ousted him from there.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather



general and omnibus in nature. There is no specific overt act against the petitioners. It is further submitted that the victim has not supported the prosecution case, in her statement recorded under section 164 of the Cr.PC. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the statement of victim recorded u/s 164 of Cr.PC, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Ghoshi P.S. Case No.299 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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