

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45298 of 2023

Arising Out of PS. Case No.-98 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. Mahendra Bind Son Of Late Ram Chandra Bind, Resident Of Village- Sewali, P.S.- Shivsagar, Distt- Rohtas
 2. Fulan Devi Wife Of Mahendra Bind Resident Of Village- Sewali, P.S.- Shivsagar, Distt- Rohtas
 3. Deepak Bind @ Deepak Kumar Son Of Mahendra Bind, Resident Of Village- Sewali , P.S.- Shivsagar, Distt- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jai Ram Bind Son Of Birbansh Bind R/O Vill.- Sewali, P.S.- Shivsagar, Dist.- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Complaint Case No. 98 of 2018 arising out of Shivsagar P. S. Case No. 136 of 2016 registered on 02.05.2016 for the offences punishable under Sections 363, 366(A) and 120B of the Indian Penal Code.

3. According to the prosecution, the F.I.R. has been lodged against four named accused persons including the present petitioners against whom there is allegation of

kidnapping of the daughter of the informant.

4. Learned counsel for the petitioners submits that after completion of investigation, the police has submitted final form as mistake of fact in this case and thereafter the protest cum complaint has been filed by the informant in this case in which the court has taken cognizance and thereafter the petitioners are seeking anticipatory bail. Counsel further submits that the alleged victim has been recovered and she has disclosed in her statement under Section 164 of Cr.P.C. that in the stage of anger she left the house and went to her maternal grand mother's house, which is annexed as Annexure-2. She has specifically disclosed that no body has kidnapped her.

5. Learned APP for the State opposes the prayer for bail.

6. In the aforesaid facts and circumstances, let the above-named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas in connection with Complaint Case No. 98 of 2018 arising out of Shivsagar P.S. Case No. 136 of 2016,

subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Dr. Anshuman, J.)

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