

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48826 of 2023

Arising Out of PS. Case No.-281 Year-2022 Thana- BHAGWAN BAZAR District- Saran

1. DABLU KUMAR son of Late Gautam Prasad Village- Gudari Rai ka chowk
Ps- Bhagwan Bazar Dist- Saran at Chapra
2. BABLU KUMAR @ BABLU PRASAD son of Late Gautam Prasad
Village- Gudari Rai ka chowk Ps- Bhagwan Bazar Dist- Saran at Chapra
3. KANTI DEVI wife of Late Gautam Prasad Village- Gudari Rai ka chowk
Ps- Bhagwan Bazar Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-10-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. Learned counsel for the petitioners seeks
permission to withdraw this application with regard to petitioner
no. 1.

3. Permission is granted.

4. Accordingly, this application with regard to
petitioner no. 1 is dismissed as withdrawn.

5. Now, this application is being heard only with
regard to petitioners no. 2 and 3.

6. Heard learned counsel for the petitioners and



learned A.P.P. for the State.

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366A of the Indian Penal Code.

8. As per the prosecution case, the petitioners along with other co-accused are said to have forcibly kidnapped the daughter of the informant with wrong intention.

9. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioners. He further submits that there is specific allegation against co-accused Mintu Kumar @ Lali and he is in judicial custody. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

10. Learned APP for the State opposes prayer for anticipatory bail.

11. Having regard to the facts and circumstances of the case, let the above named petitioners no. 2 and 3, 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 lower Court where the case is pending/successor Court in connection with Bhagwan Bazar P.S. Case No.281 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

12. Accordingly, this application is partly allowed.

Anjani Kumar Sharan, J)

anand/-

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