

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44122 of 2023

Arising Out of PS. Case No.-110 Year-2022 Thana- BISFI District- Madhubani

1. MOHIT KUMAR SON OF MAHESH MISHRA RESIDENT OF VILLAGE- JANIPUR, PS- NANPUR, DIST- SITAMARHI
2. MADAN MOHAN @ MADAN KUMAR SON OF MAHESH MISHRA RESIDENT OF VILLAGE- JANIPUR, PS- NANPUR, DIST- SITAMARHI
3. BINOD KUMAR SINGH SON OF RAM LAKASHMAN SINGH RESIDENT OF VILLAGE- MADHEPUR, PS- BISFI (PATAUNA), DIST- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Ravi Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with the learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 341, 380, 504, 506, 363, 366(A), 34 of the Indian Penal Code.

3. The informant alleges that earlier Govind kidnapped his granddaughter but she was recovered from the bus, but no case was instituted keeping the prestige of the family in mind which emboldened the accused persons, it is next alleged that the accused persons came variously armed and



entered the house and damaged the articles and were looking for his granddaughter and on finding her, tried to kidnap her but on intervention of villagers, she was saved.

4. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that from bare perusal of the allegations as alleged in the FIR, it would manifest that Govind and the granddaughter of the informant were in love, it is also submitted that the allegations as alleged in the FIR are general and omnibus in nature and the thrust of allegation is against Deepak. It is next submitted that similarly situated co-accused have been granted the privilege of anticipatory bail by a learned Co-ordinate Bench by order dated 28.07.2023 in Cr. Misc No. 25609 of 2023 and order dated 11.08.2023 in Cr. Misc. No. 44882 of 2023.

6. Learned A.P.P. for the State along with the learned counsel for the informant, Mr. Ravi Ranjan, opposes the prayer for anticipatory bail of the petitioners but are not able to rebut the submission of the learned counsel for the petitioners that similarly situated co-accused have been granted privilege of



anticipatory bail by a learned Co-ordinate Bench.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bisfi (Patauna) P.S. Case No. 110 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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