

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47538 of 2023

Arising Out of PS. Case No.-559 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

1. ANIL DHOBI S/O HIRA DHOBI R/O Village- Bhadari, P.S- Bhabhua, Distt.- Kaimur.
2. GUDDU SETH @ RAMASHANKAR SETH S/O BALIRAM SETH R/O Village- Bhadari, P.S- Bhabhua, Distt.- Kaimur.
3. VIKASH DHOBI S/O MANALU DHOBI R/O Village- Bhadari, P.S- Bhabhua, Distt.- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Bhabua P.S. Case No. 559 of 2020 for the offence registered under section 366(A) of the Indian Penal Code lodged on 29.08.2020 by the informant Paras Gosai.

As per the prosecution story, the informant alleged that his maternal grand-daughter 'X' who had left for school, failed to return. Upon search, it came to his notice through relatives that the family members of Jawahir Dhobi have taken away the girl. Accordingly, the FIR.



Learned counsel for the petitioners submit that subsequently the girl was recovered and she made specific allegation against Ranjeet Dhobi.

Considering the aforesaid facts, charge sheet was submitted against Ranjeet Dhobi and Kausar Ansari whose name has also cropped up and so far as these petitioners are concerned, final form was submitted which was accepted.

However, the contention of the learned Counsel for the petitioner is that in course of trial, the petition under section 319 of the Cr.P.C. was filed in which in a routine manner on 15.02.2022, the Trial Court issued summons prompting them to move before this Court. Further submission is that the petitioner will be diligently appearing before the Trial Court so that the same is taken to its logical conclusion.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail but concedes that specific allegation has been made against Ranjeet Dhobi.

Considering the aforesaid facts as also that the girl has made allegation against Ranjeet Dhobi, final form was submitted against these petitioners and name has now come up in course of trial, this Court is inclined to extend them privilege of anticipatory bail.



Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhabua (Kaimur) in connection with Bhabua P.S. Case No. 559 of 2020 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every month till the conclusion of the trial to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;



(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

