

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50191 of 2023

Arising Out of PS. Case No.-141 Year-2023 Thana- KHAIRA District- Saran

1. Santosh Rai Son Of Motilal Rai Resident Of Village - Baddi Dhobwatia, P.S. - Khaira, Distt. - Saran At Chapra
2. Anand Kumar @ Anand Kumar Rai Son Of Motilal Rai Resident Of Village - Baddi Dhobwatia, P.S. - Khaira, Distt. - Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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

3. As per the prosecution case, allegation against the petitioners is that they along with other accused persons have kidnapped the daughter of the informant.

4. 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



occurrence took place on 28.03.2023 and the F.I.R. was lodged on 17.04.2023 i.e. after delay of twenty days and there is no explanation regarding the delay. He further submits that as per the prosecution case, the mother of the victim was the eye witness of the alleged offence and she also confronted the accused persons during the alleged crime and she also narrated the same incident to her husband/informant on the same day despite this fact the F.I.R. was lodged after delay of twenty days, which creates serious doubt on the prosecution case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail and submits that the statement of the victim was recorded under Section 164 of the Cr.P.C., in which she has supported the prosecution case.

6. Having regard to the facts and circumstances of the case, 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 lower Court where the case is pending/successor



Court in connection with Khaira P.S. Case No.141 of 2023,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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