

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62291 of 2022

Arising Out of PS. Case No.-694 Year-2021 Thana- SONEPUR District- Saran

1. Upendra Kumar Son of Bali Singh R/O Village- Parmanandpur, P.S.- Sonpur, Distt.- Saran at Chapra.
2. Jitendra Singh @ Jitendra Kumar Singh @ Bholi @ Bhuli Son of Bali Singh R/O Village- Parmanandpur, P.S.- Sonpur, Distt.- Saran at Chapra.
3. Vibha Devi @ Rinku Devi Wife of Upendra Singh R/O Village- Parmanandpur, P.S.- Sonpur, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Atul Shankar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 15-05-2023 Heard Mr. Atul Shankar, learned Counsel appearing on behalf of the petitioner and Mr. Kumar Ranjit Ranjan, learned A.P.P. appearing on behalf of the State.

The petitioners seek pre-arrest bail in connection with Sonpur P.S. Case No. 694 of 2021 punishable under Sections 366(A) of the Indian Penal Code.

The prosecution story, in brief, is that daughter of the informant has been kidnapped by the accused persons named in the F.I.R. including the petitioners.

Learned Counsel appearing on behalf of the petitioners submits that petitioners no.1, 2 and 3 are father,



uncle and mother of co-accused namely, Aman Kumar. He further submits that he has brought on record photocopy of statement made by victim, who has admitted in her statement recorded under Section 164 of Cr.P.C. that she had ran away willingly along with the co-accused namely, Aman Kumar and no allegation of assault or kidnapping has been made against the petitioners nor they have made any physical or sexual assault on her.

Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

Considering the nature of allegation made in the F.I.R. as well as the fact that the daughter of the informant made a statement that she has married with the co-accused namely, Aman Kumar and they are leading their conjugal life happily. It appears that *prima facie* petitioners have made out a case to be released on on pre-arrest bail.

The Court below is directed to release the petitioners, above named, on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand only) each with two sureties of the like amount each,



to the satisfaction of learned C.J.M., Saran at Chapra in connection with Sonpur P.S. Case No. 694 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

The Court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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