

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56936 of 2022

Arising Out of PS. Case No.-258 Year-2022 Thana- BAHERA District- Darbhanga

1. Suneeta Devi Wife Of Anil Kumar Jha @ Anil Jha R/O Village- Antaur, P.S.- Bahera, Distt.- Darbhanga
2. Anil Kumar Jha @ Anil Jha Son Of Late Tej Narayan Jha @ Tejkumar Jha R/O Village- Antaur, P.S.- Bahera, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sameer Ranjan, Advocate

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 25-01-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 366(A) read with Section 34 of the Indian Penal Code.

As per the prosecution case, the petitioners and the co-accused persons are alleged to have kidnapped the daughter of the informant under conspiracy.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case.



There is general and omnibus allegation against the petitioners. The petitioner no. 1 and 2 are the parents of the co-accused Vishal Kumar. The main allegation is against the co-accused Vishal Kumar. The victim in her statement recorded under Section 164 of the Cr.P.C. has not stated that she was forced to have sexual intercourse with another person. He has further submitted that when the informant was at the railway station of Samastipur, she did not raise any alarm about the said occurrence. The petitioners have got clean antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bonds of Rs. 20,000/-(Twenty Thousand)each with two sureties of the like amount each to the satisfaction of Court concerned, Benipur, Darbhanga in connection with Bahera P.S. Case No. 258 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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