

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59334 of 2022

Arising Out of PS. Case No.-420 Year-2022 Thana- ARA NAWADA District- Bhojpur

1. RAMESH GIRI Son of Bikram Giri Resident of Village- Kaura Mathiya, P.S.- Jagdishpur, District- Bhojpur
2. MENU DEVI @ ASHA GIRI Wife of Ramesh Giri Resident of Village- Kaura Mathiya, P.S.- Jagdishpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Ara Nawada P.S. Case No. 420 of 2022 for the offence registered under Sections 366(A) and 34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that his minor daughter has been taken away by the present petitioner's son, Rahul Kumar with the help of one Sujit Kumar as also the parents.

Learned counsel for the petitioners submit that main allegation is against Rahul Kumar, their son of having taking



away the informant's daughter, they do not have any role to play and further do not have criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Considering the fact that they are parents of Rahul Kumar, there is main allegation against him of taking away the informant's daughter, they do not have criminal antecedent and will be facing the trial, this Court is inclined to grant them privilege of anticipatory bail with conditions.

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 C.J.M., Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 420 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C with further conditions:-

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

(iv) 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.

(v) the petitioners shall co-operate in the investigation and made themselves available to the police as and when required.

(Rajiv Roy, J)

Jagdish/Neha/-

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