

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67919 of 2023**

Arising Out of PS. Case No.-186 Year-2023 Thana- KASIMBAZAR District-
Munger

- =====
1. NITU DEVI W/o Jitendra Kumar Gupta @ Jitendra Tanti @ Jitendra Gupta R/o vill- Mahaddipur, P.s. - Kasim Bazar, distt. - Munger
 2. Richa Kumari D/o Jitendra Kumar Gupta @ Jitendra Tanti @ Jitendra Gupta R/o vill- Mahaddipur, P.s. - Kasim Bazar, distt. - Munger

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Saurabh

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 19-10-2023 Heard Mr. Shashi Saurabh, learned counsel for the

petitioners and Mr. Humayou Ahmad Khan, learned A.P.P. for the

State.

The petitioners apprehend their arrest in connection
with Kasim Bazar P.S. Case No. 186 of 2023 dated 17.06.2023
registered for the offence under Section 366(A)/34 of the Indian
Penal Code.

The minor daughter of the informant is alleged to have
been abducted by the petitioners.

Learned counsel appearing for the petitioner submits
that the petitioners, who are of clean antecedent, are innocent
and have falsely been implicated in this case on the ground that



the petitioner No.1 happens to be mother and petitioner No.2 happens to be sister of the main accused, namely, Gaurav Kumar, who according to the F.I.R., has allegedly abducted the daughter of the informant. He further submits that the petitioners have no concern with the alleged occurrence nor they have played any role in the abduction of the victim. He further submits that the petitioners being the lady may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submits that the petitioners are family members of the main accused, Gaurav Kumar who has enticed away the daughter of the informant.

Considering the facts and circumstances of the case, let the, above named, petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 186 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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