

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71703 of 2022

Arising Out of PS. Case No.-66 Year-2018 Thana- BELHAR District- Banka

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1. TARNI PANDIT Son of Late Dhodhay Pandit Resident of Village - Tilakpur, Police Station - Belhar, District - Banka
 2. Ghoghan Pandit @ Sanjiv Kumar Pandit @ Gagan Pandit Son of Tarni Pandit Resident of Village - Tilakpur, Police Station - Belhar, District - Banka
 3. Gobardhan Pandit Son of Late Lakshmi Pandit Resident of Village - Tilakpur, Police Station - Belhar, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Banarsi Pandit Son of Kasi Pandit Village - Tilakpur, Police Station - Belhar, District - Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-07-2023 1. 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, 365 and 366 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case but then the case was filed by their agnate Geeta Devi who is related to the present informant.

4. The informant alleges that the petitioners kidnapped his wife for the purpose of marriage.



5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that petitioners are agnates having land dispute and the date of occurrence is 08.03.2018 and the FIR came to be instituted on 15.03.2018 i.e. after a delay of more than seven days which casts an aspersion on the case of the prosecution. Learned counsel next submits that petitioners will not abscond rather will cooperate in the investigation and will present themselves as and when required by the investigating officer of the case for eliciting the truth.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Belhar P.S. Case No. 66 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



8. However, it is made clear that if the investigating officer of the case files an application bringing to the notice of the learned court below that petitioners despite giving assurance to this Court is not cooperating in the investigation or is not presenting themselves when required by the investigating officer, the learned court below shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Let a copy of this order be sent to the concerned police station through the learned court below.

(Satyavrat Verma, J)

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