

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73990 of 2022

Arising Out of PS. Case No.-226 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

1. Kameshwar Ram Son Of Late Lakshman Ram R/V- Dakshin Ekrauna, P.S- Udwant Nagar, Dist- Bhojpur
2. Payal Kumari D/O Kameshwar Ram R/V- Dakshin Ekrauna, P.S- Udwant Nagar, Dist- Bhojpur
3. Kiran Kumari D/O Kameshwar Ram R/V- Dakshin Ekrauna, P.S- Udwant Nagar, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Tiwary
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 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 offence punishable under Sections 366A/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the petitioners are not known about the kidnapping of the victim girl. There is no eye witness of the said occurrence. He submits that there is love affair with Sudhir Kumar and the victim girl herself went with Sudhir Kumar for roaming. He submits that there is no specific overt act against



the petitioners. He submits that there is no involvement of petitioner no. 1 but being a father of Sudhir Kumar, he has been made accused. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case.

Considering the facts and circumstances of the case and the fact that the petitioner no. 2 and 3 is the unmarried daughter of petitioner no. 1, let the above named petitioner no. 2 and 3 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) 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 Udwanthnagar P.S. Case No. 226 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as petitioner no. 1 is concerned, I am not inclined to enlarge the petitioner no. 1 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.



However, if the petitioner no. 1 surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that there is no specific overt act against the petitioner no. 1.

(Anjani Kumar Sharan, J)

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