

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78665 of 2023

Arising Out of PS. Case No.-380 Year-2023 Thana- ALOULI District- Khagaria

1. Birendra Singh Son Of Late Ram Bahadur Singh R/O Village- Nista Haripur, P.S.- Alauli, District- Khagaria
2. Babul @ Babala @ Saurav Kumar Son Of Birendra Singh R/O Village- Nista Haripur, P.S.- Alauli, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 366(A)/34 of the Indian Penal Code.

3. Petitioners are said to have abducted the minor daughter of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that occurrence took place on 05.08.2023 but the FIR has been lodged on 07.04.2023 after delay of 2 days without explaining any reasonable cause of delay. He submits that both petitioners are father and son and their name has wrongly been mentioned in the FIR without any active role. He



further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail submits that the victim girl has not been recovered as yet.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Alauli P.S. Case No. 380 of 2023.

7. However, if the petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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