

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79233 of 2023

Arising Out of PS. Case No.-176 Year-2023 Thana- RAJNAGAR District- Madhubani

1. Devkant Mishra S/O Late Asharfi Mishra R/O Village- Paliwar, P.S.- Rajnagar, District- Madhubani.
2. Madhu Kumar @ Madhukant Mishra S/O Kishori Mishra R/O Village- Paliwar, P.S.- Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-12-2023 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, 341, 323, 504, 506/34 of the Indian Penal Code.

3. Petitioners are said to have kidnapped the daughter of the informant

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case on the basis of suspicion. He submits that the petitioners are own uncle of victim so offence as alleged against the petitioners is unbelievable. He submits that the petitioner no. 1 is Devar and petitioner no. 2 is elder cousin brother of the



informant's husband. He submits that the informant is not eye witness of the alleged occurrence. 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 is still traceless.

4. Considering the facts and circumstances of the case and the fact that the victim is still traceless, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Rajnagar P.S. Case No. 176 of 2023.

5. 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 considering the fact that the petitioners have no criminal antecedent.

(Anjani Kumar Sharan, J)

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