

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79586 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- TARAIIYA District- Saran

1. Dina Rai @ Dina Nath Roy Son Of Balam Roy R/O Village- Fakuli, P.S.- Panapur, Dist.- Saran, Pin-841424
2. Bikee Kumar Ray Son Of Dina Ray R/O Village- Fakuli, P.S.- Panapur, Dist.- Saran, Pin-841424
3. Amita Devi Wife Of Bikee Kumar Ray R/O Village- Fakuli, P.S.- Panapur, Dist.- Saran, Pin-841424

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Raj, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2023 Heard Mr. Aditya Raj, learned counsel for the
petitioners and Mr. Dilip Kumar No. 1, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366, 366(A) of the Indian Penal Code.

3. As per the prosecution case, allegation against the petitioners along with other co-accused persons is that they have kidnapped the minor daughter of the informant with an intention to solemnize marriage.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the



petitioners are implicated, just because, they are the family members of the co-accused Vikash Kumar. He further submits that there is no specific overt against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail and submits that the victim is trace-less till date.

6. Having regard to the facts and circumstances of the case, arguments of the parties and the police has not lodged F.I.R. under POCSO Act and the fact that there is no specific overt act against the petitioner, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Taraiya P.S. Case No.54 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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