

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18443 of 2024

Arising Out of PS. Case No.-272 Year-2019 Thana- SARAI District- Vaishali

Anant Thakur, S/o Late Baiju Thakur, R/o Village-Akbar Malahi Srai, P.S.- Sarai, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 24952 of 2024

Arising Out of PS. Case No.-272 Year-2019 Thana- SARAI District- Vaishali

Amit Kumar Thakur, Son of Ajay Thakur, R/o Village- Akbar Malahi, Sarai, P.S.- Sarai, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 18443 of 2024)
For the Petitioner/s : Mr.Hemant Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 24952 of 2024)
For the Petitioner/s : Mr.Hemant Kumar, Advocate
For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 21-06-2024 Since both the bail petitions arise out of Sarai P.S.

Case No. 272 of 2019, as such, they have been taken up together

and are being disposed of by this common order.

2. Heard learned counsel for the petitioners and
learned APP for the State.

3. In this present cases, the petitioners seek bail in



connection with Sarai P.S. Case No. 272 of 2019, registered on 23.07.2019 for the offences under Sections 363 and 366/34 of the Indian Penal Code.

4. As per prosecution case, petitioners and other co-accused persons kidnapped the sister of the informant.

5. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners have no concern with the alleged offence. The informant has not stated about the exact date when her sister disappeared or was kidnapped. There is general and non-specific allegation against the petitioners. From the facts of the case, no offence under Sections 363 and 366 IPC is made out against the petitioner as the case has been lodged against them merely on suspicion. The victim lady has been traced and her statement under Section 164 Cr.P.C. was recorded wherein she absolved the petitioners from any wrong doing. The victim lady has solemnized her marriage with some other person who is not the accused in the present case. The petitioners are in custody since 11.01.2024 and the charge sheet has been submitted. The petitioners are having clean antecedent.

6. Learned APP opposes the prayer made on behalf of



the petitioners.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely vague nature of allegation against the petitioners and further considering the period of custody of the petitioners, submission of charge sheet as well as their clean antecedent and also considering the possibility of their false implication, the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII-cum-Sub Judge-XIV, Vaishali at Hajipur/concerned court, in connection with, Sarai P.S. Case No. 272 of 2019, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be the close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioners will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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