

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24257 of 2024**

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

1. Ajay Thakur, Son Of Late Baiju Thakur, Resident Of Village- Akbar Mlahi Sarai, Ps- Sarai, Dist- Vaishali
2. Vijay Thakur, Son Of Late Baiju Thakur, Resident Of Village- Akbar Mlahi Sarai, Ps- Sarai, Dist- Vaishali
3. Dharamveer Thakur, Son Of Late Baiju Thakur, Resident Of Village- Akbar Mlahi Sarai, Ps- Sarai, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Hemant Kumar, Advocate  
For the Opposite Party/s : Mr. Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      01-05-2024                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. In this present case, the petitioners are apprehending their arrest 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.

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

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. 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. Petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. 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 also considering the clean antecedent of the petitioners coupled with possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, 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 ACJM-XIII-cum-Sub Judge-XIV, Hajipur, Vaishali/concerned court in connection with Sarai P.S. Case No. 272 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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