

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32365 of 2024

Arising Out of PS. Case No.-52 Year-2023 Thana- FATUA District- Patna

1. Rahul Kumar Das @ Rahul Kumar Son Of Mohit Das Resident Of Village - Maksudpur, Police Station - Fatuha, District - Patna
2. Khushboo Kumari Daughter Of Mohit Das Resident Of Village - Maksudpur, Police Station - Fatuha, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj
For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Fatuha P.S. Case No. 52 of 2023, instituted under Section 366A/34, lodged on 18.01.2023, by the informant, Satyam Kumar @ Indu Kumar.

3. As per the prosecution story, the allegation is that the informant's daughter, 'X' went to attend the classes and failed to return. On next day, information came that she has been taken away to his home by co-accused Monu Kumar Das Accordingly, the F.I.R.

4. Learned counsel for the petitioners submits that the alleged occurrence took place on 1.12.2022 whereas the F.I.R. was lodged on 18.01.2023, i.e., after 48 days. Further



admittedly, the specific allegation is against co-accused Monu Kumar Das that he has disappeared with the girl and even the two petitioners herein were unaware of the same. It is the further submission of learned counsel for the petitioners that last week, the girl has returned along with co-accused Monu Kumar Das and she has made categorical statement that she went with him and want to live with co-accused Monu Kumar Das.

5. Learned APP opposes the prayer for bail.

6. Considering the aforesaid submissions put forward by learned counsel for the petitioners, admittedly, the main allegation is against co-accused Monu Kumar Das, there is no specific allegation against these petitioners.

7. Let the petitioners, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, PatnaCity, Patna in connection with Fatua P.S. Case No. 52 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show



his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself,

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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