

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33968 of 2024

Arising Out of PS. Case No.-270 Year-2023 Thana- JANKINAGAR District- Purnia

1. Sanjeev Kumar Sant Son of Rajendra Yadav Resident of Mirchai Bari ,Ward no-2 , P.S- Jankinagar, Dist- Purnea
2. Rekha Devi Wife of Tej Narayan Yadav Resident of Baisarh, Ward no- 11, P.S- Kumarkhand, Dist- Madhepura
3. Gunjan Devi @ Guljan Devi Wife of Santosh Yadav Resident of Baisarh, Ward no- 11, P.S- Kumarkhand, Dist- Madhepura
4. Santosh Yadav Son of Laxman Yadav Resident of Baisarh, Ward no- 11, P.S- Kumarkhand, Dist- Madhepura
5. Chhotu Kumar Son of Vidyanand Yadav Resident of Baisarh, Ward no- 11, P.S- Kumarkhand, Dist- Madhepura
6. Kundan Kumar Son of Tej Narayan Yadav Resident of Baisarh, Ward no- 11, P.S- Kumarkhand, Dist- Madhepura
7. Tej Narayan Yadav @ Tejnarayan Yadav Son of Sneha Yadav Resident of Baisarh, Ward no- 11, P.S- Kumarkhand, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Md Fazle Karim, Advocate
For the State	:	Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-05-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363, 365 and 34 of the Indian Penal Code.

3. As per prosecution case, on 16.12.2023, at around 2 o' clock in the night, when the informant woke up to go to the bathroom he came to know that his two daughter, namely Asha



Kumari and Anu Kumar, are missing from their room. It is further alleged that about 3 AM, he came to know that co-accused Bittu Kumar and Amit Kumar have lured both his daughters and took them away.

4. It is submitted by learned counsel appearing on behalf of the petitioners that specific accusation of kidnapping is against co-accused Bittu Kumar and Amit Kumar. It is further submitted that one of the victim, namely Asha Kumari, was recovered and in her statement recorded under Section 164 of Cr.P.C., she has categorically stated that she was in love with co-accused Bittu Kumar but her parents wanted to marry her somewhere else and because of this reason, she eloped with Bittu Kumar and performed marriage. It is further submitted that there is no allegation of overt act against these petitioners and they have falsely been implicated in this case merely because they happen to be relatives of co-accused Bittu Kumar. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.



7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea, in connection with Jankinagar P.S. Case No.270 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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