

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49333 of 2024

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

1. Tarni Mandal Son Of Late Laxman Mandal Resident Of Village- And Po-
Mirchai Bari, Muroh Tola, Ward No. 1 Ps- Janki Nagar, Dist- Purnia,
2. Chunni Devi Wife Of Shilendra Mandal Resident Of Village- Chakmaka,
Ward No. 6 Ps- Janki Nagar, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-09-2024 Heard learned counsel for the petitioners and the
State.

2. Petitioners apprehend arrest in a case registered for
the offences punishable under Sections 363, 365/34 of the
Indian Penal Code.

3. As per prosecution case, on 16.12.2023, at around 2
AM, when informant woke up to go to the bathroom, he came to
know that his two daughters, namely, Asha Kumari and Anu
Kumari were missing from their room. It is further alleged that
at 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. Learned counsel for the petitioners submits that allegation of kidnapping is against co-accused Bittu Kumar and Amit Kumar. It is further submitted that one of the victims, namely, Asha Kumari was recovered and in her statement recorded under Section 164 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 so she eloped with Bittu Kumar and performed marriage. There is no allegation of any overt act against these petitioners and they have been implicated in this case merely because they happen to be relatives of co-accused Bittu Kumar and Amit Kumar. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, 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 Chief Judicial Magistrate, Purnea in connection with Janki Nagar 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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