

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45696 of 2024**

Arising Out of PS. Case No.-369 Year-2023 Thana- DIDARGANJ District- Patna

1. Prem Kumar @ Prem Sahni S/O Baijnath Prasad R/O Mohalla-Didarganj, P.O. Patna City, P.S. Didarganj, Distt-Patna
2. Kumar Prithivi @ Kumar Prithvi @ Prithvi Kumar S/O Prem kumar @ Prem Sahni R/O Mohalla-Didarganj, P.O. Patna City, P.S. Didarganj, Distt-Patna
3. Amit Kumar S/O Prem Kumar @ Prem Sahni R/O Mohalla-Didarganj, P.O. Patna City, P.S. Didarganj, Distt-Patna
4. Sahil Kumar @ Rahul Kumar S/O Prem Kumar @ Prem Sahni R/O Mohalla-Didarganj, P.O. Patna City, P.S. Didarganj, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                    |
|----------------------------|---|------------------------------------|
| For the Petitioner/s       | : | Mr. Shailendra Kumar Jha, Advocate |
|                            |   | Mr. Gaurav Kumar, Advocate         |
| For the Opposite Party/s : |   | Mr.Mritunjay Kumar Nirala, APP     |

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

2      12-07-2024                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Didarganj P.S. Case No. 369 of 2023 for the offence punishable u/s 366A and 34 of the Indian Penal Code.

03. As per the prosecution case, the minor daughter of the informant went missing and on enquiry, the informant came to know about co-accused Rahul Kumar and these petitioners and other co-accused kidnapping his daughter.



04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioners are distant cousins of the co-accused Rahul Kumar. From the contents of the FIR, it is apparent that no specific allegation has been levelled against the petitioners and the name of petitioners have been dragged in this case merely on suspicion. They are related to co-accused Rahul Kumar who is stated to have kidnapped the daughter of the informant but the co-accused Rahul Kumar did not stay with the petitioners. The petitioners are having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail. Learned APP submits that the daughter of the informant is minor and she is hardly aged about 12 years.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the completely vague nature of allegation against the petitioners and doubtful nature of accusation, 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 bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1<sup>st</sup> Class, Patna City/court concerned in connection with Didarganj P.S. Case No. 369 of



2023, subject to the condition 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)**

Ashish/-

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