

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50726 of 2024

Arising Out of PS. Case No.-127 Year-2022 Thana- SONO District- Jamui

1. Vimal Yadav Son Of Late Chuto Yadav Resident Of Village - Khotoba, P.S. - Charkapathar, District - Jamui
2. Baleshwar Yadav Son Of Late Chuto Yadav Resident Of Village - Khotoba, P.S. - Charkapathar, District - Jamui
3. Sunil Yadav Son Of Baleshwar Yadav Resident Of Village - Khotoba, P.S. - Charkapathar, District - Jamui

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Satya Prakash Parasar, Advocate
For the State	:	Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 18-12-2024 Heard Ld. counsel for the Petitioners and Ld. APP
for the State.

2. The Petitioners seek anticipatory bail, apprehending their arrest, in connection with Sono (Chakapathar) P.S. Case No. 127 of 2022, dated 04.05.2022 registered for the offences punishable under Sections 363, 365/34 of the Indian Penal Code.

3. As per the allegation, the 15 year old daughter of the informant has been kidnapped. The informant has expressed suspicion that the accused /petitioners have role in abducting the daughter of the informant. The alleged victim has been



recovered and she has given her statement under Section 164 Cr.PC in which she has not taken the name of the accused persons who are the co-villagers.

4. Ld. counsel for the Petitioners submits that the Petitioners are innocent and have falsely been implicated in this case only on the basis of suspicion. He further submits that all the petitioners are co-villagers of the victim but she has not taken the name of any of the Petitioners in her statement as recorded under Section 164 Cr.PC.

5. It is also stated in paragraph no. 2 of the bail petition that the Petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated paragraph no.3 of the bail petition that the Petitioners have no criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the Petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten



Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate, Ist Class, Jamui, in connection with Sono Chakarpur P.S. Case No. 127 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the Petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the Petitioners after hearing them and getting satisfied that the Petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the Petitioners.

(Jitendra Kumar, J.)

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