

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53841 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- PARWALPUR District- Nalanda

1. Sanjay Thakur, aged about 48 years (Male), Son of Lalan Thakur, Resident of village - Alipur Bigha, P.S. - Parwalpur, Distt. - Nalanda.
2. Rakesh Thakur @ Rakesh Sharma, Son of Late Bararas Thakur, Resident of village - Alipur Bigha, P.S. - Parwalpur, Distt. - Nalanda.
3. Sudhir Thakur, Son of Pradip Thakur, Resident of village - Alipur Bigha, P.S. - Parwalpur, Distt. - Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Anil Kumar Singh, Advocate
For the Informant	:	Mr. Shashi Chandra Pandey, Advocate
For the State	:	Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 17-02-2024 Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application filed on behalf of the petitioner no. 3, namely, Sudhir Thakur, in connection with Parwalpur P.S. Case No. 29 of 2023, pending in the court of learned A.C.J.M., Hilsa, Nalanda.

2. Permission is accorded.

3. Accordingly, the present anticipatory bail application filed on behalf of the petitioner no. 3, namely, Sudhir Thakur, is dismissed as withdrawn.

4. Heard learned counsel for the petitioner nos. 1 and 2, learned counsel for the informant and learned A.P.P. for the



State.

5. The petitioner nos. 1 and 2 are apprehending their arrest in connection with Parwalpur P.S. Case No. 29 of 2023 dated 18.02.2023 registered for the offences punishable under Sections 366A/34 of the I.P.C.

6. As per prosecution case, on 14.02.2023 at 7.00 P.M., the minor daughter and the wife of the informant went to call of nature where the petitioner nos. 1 and 2 and the co-accused persons kidnapped his daughter. On protest made by the wife of the informant, Sanjay Thakur (petitioner no. 1) pointed a pistol on her. On several search, his daughter was not traced. The informant claims that the co-accused Vikash Kumar kidnapped his daughter for the purpose of marriage.

7. Learned counsel for the petitioner nos. 1 and 2 has submitted that they are innocent and have been falsely been implicated in the present case. It is submitted that there was love affair between the victim and the co-accused Vikash Kumar and on the alleged date and time of occurrence, the victim fled away with the co-accused Vikash Kumar out of her own will but all the family members and relatives of the co-accused Vikash Kumar have been made accused in the present case by the informant. It is further submitted that in the year 2022, some



altercation took place between the informant's side and the petitioner no. 1's wife and due to which Parwalpur P.S. Case No. 208 of 2022 has been lodged against the informant by the wife of the petitioner no. 1. The petitioner no. 1 is only the relative of the co-accused Vikash Kumar. The victim was not forced to illicit relationship with another person. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

8.Learned A.P.P. for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner nos. 1 and 2.

9. Considering the aforesaid facts and circumstances of the case, let the above named petitioner nos. 1 and 2 (except petitioner no. 3, namely, Sudhir Thakur) in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Hilsa, Nalanda in connection with Parwalpur P.S. Case No. 29 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C. with further condition:-



(I) The petitioner nos. 1 and 2 are directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, their bail bonds are liable to be cancelled.

10. The application stands allowed.

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(Chandra Prakash Singh, J)

