

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60607 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- MORKAHI District- Khagaria

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1. Arvind Singh S/O Late Yugal Singh R/O Village- Khutha Ward No. 12, P.S-Morkahi, Distt.- Khagaria.
 2. Neelam Devi W/O Arvind Singh R/O Village- Khutha Ward No. 12, P.S-Morkahi, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Adv.
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-09-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Morkahi P.S. Case No. 68 of 2024 for the offence registered under sections 341, 342, 363, 365, 379, 504 and 506 of the IPC lodged on 05.06.2024 by the informant Priyanshu Kumar.

3. As per the prosecution story, the informant alleged that his minor sister was going to BASA from the house, when the accused persons forcibly took her away. Further allegation is against Aman Kumar Singh and Puja Kumari of taking her away in a Bolero vehicle and escaping thereafter. The incident is of



24.05.2024 and the girl was later recovered from the house of the sister of Aman Kumar on 26.05.2024 at Samastipur, the FIR has been lodged on 05.06.2024.

4. Learned Counsel for the petitioner submits that allegation has been made against Aman Kumar Singh and only to harass, all the family members have been incorporated thereafter, the delay has not been explained. Any case, they are parents, aged persons.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that all have been named in the FIR.

6. Considering the allegation that has come against Aman Kumar Singh, so far as these petitioners are concerned, though they have been named, actual dragging and taking away has been assigned to Aman Kumar Singh/Puja Kumari, there is inordinate delay in FIR, both these petitioners do not have criminal antecedent, this Court is inclined to grant them the anticipatory bail with conditions.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the



like amount each to the satisfaction of the learned C.J.M, Khagaria in connection with Morkahi P.S. Case No. 68 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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