

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66562 of 2024

Arising Out of PS. Case No.-52 Year-2019 Thana- KANTI District- Muzaffarpur

1. Chinta Devi, Wife of Shivchaandra Ray, Village- Station Tola Kanti PS- Kanti District -Muzaffarpur
2. Shivchandra Ray, Son of Late Khus Ram Ray, Village- Station Tola Kanti PS- Kanti District -Muzaffarpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate
For the State : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-10-2024 Heard Mr. Sunil Kumar Pandey, learned counsel
for the Petitioners and Mr. Pawan Kumar Chaurasia, learned
APP for the State.

2. The petitioners apprehend their arrest in connection
with Kanti P.S. Case No. 52 of 2019 dated 21.01.2019 registered
for the offence punishable under Section 366 A read with
Section 34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel
appearing for the petitioners are that the petitioners firstly
prayed for the relief of anticipatory bail before the trial court
which was decided on 13.03.2019 with giving the relief of
anticipatory bail to them and as per that order, the petitioners



were to surrender within thirty days from the date of that order but the petitioners' son became unwell due to renal disease and required kidney transplant and subsequently, both the petitioners donated their kidneys to their son to save his life but even then, their son could not be saved and he died and in that course, the prescribed period for surrender lapsed, thereafter, the petitioners filed a Miscellaneous Petition to extend the period for surrender but that was not allowed and thereafter, petitioners again filed a fresh anticipatory bail petition before the trial court which was rejected mainly on the technical grounds. It is further submitted that the instant matter relates to kidnapping of informant's minor daughter and in the present time, the victim is with the informant and the main allegation is against Chandra Bhusan Kumar, who happens to be the son of the petitioners.

4. Learned APP for the State has opposed the prayer for bail of the petitioners.

5. Considering the facts and circumstances of this case as well as above submissions, this Court is inclined to grant the relief of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released 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 Court concerned in connection with Kanti P.S. Case No. 52 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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