

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67126 of 2023

Arising Out of PS. Case No.-181 Year-2022 Thana- ALAMNAGAR District- Madhepura

1. OM PRAKASH CHAUDHARY S/O SURESH CHAUDHARY R/O VILLAGE- ARE KISHANPUR RATWARA, P.S- ALAMNAGAR, DISTT.-MADHEPURA.
2. ASHOK CHAUDHARY S/O SURESH CHAUDHARY R/O VILLAGE-ARE KISHANPUR RATWARA, P.S- ALAMNAGAR, DISTT.-MADHEPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2024 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 365/366/34 of the IPC.

3. Allegedly, the F.I.R. named accused persons including the petitioners are said to have kidnapped the wife and the son of the informant as per previous threatening given by them.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case merely on suspicion. No such occurrence in the manner as alleged, has ever taken place. The alleged date of occurrence is 23.06.2022 but the F.I.R. has been lodged on 11.07.2022 i.e. after an inordinate delay of 18 days without giving any explanation, which, itself casts a



shadow of doubt on the prosecution case. It is further submitted that there is no eye-witness to the alleged occurrence nor the petitioners were last seen with the informant's wife and son. There is no specific allegation against the petitioners. Petitioner no.1 has one criminal antecedent while petitioner no.2 has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that till date, the victims are traceless, which fact is clear from the impugned order itself.

6. Having regard to the facts and circumstances of the case and considering the delay in lodging the F.I.R., let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Alamnagar P.S. Case No.181/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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