

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79129 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- CHAUTHAM District- Khagaria

1. Sunil Yadav @ Sunil Kumar S/O Kameshwar Yadav Village- Siswa Ps- Chautham Dist- Khagaria
2. Anil Yadav @ Anil Kumar Yadav Son Of Kameshwar Yadav Village- Siswa Ps- Chautham Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 15-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Chautham P.S. Case No. 69 of 2023 dated 10.03.2023 registered for the offences punishable under Sections 366A and 506 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the co-accused person is alleged to have kidnapped the minor daughter of the informant by enticing her under conspiracy with the petitioners.



5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. Learned counsel has further submitted that the petitioners did not play any role of kidnapping of the victim girl, rather their names have been implicated in this case due to ulterior motive. The victim was not forced to have illicit intercourse with another person. It is further submitted that specific allegation is against the co-accused Aman Kumar.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners by submitting that the allegation against the petitioners is of threatening to kill.

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender 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 learned Court concerned, Khagaria in connection with Chautham P.S. Case No. 69 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



8. This application stands allowed.

(Chandra Prakash Singh, J)

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