

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7096 of 2024

Arising Out of PS. Case No.-487 Year-2022 Thana- KHUSRUPUR District- Patna

1. Sanjay Kumar Son of Kailash Prasad Singh Resident of Village-Baikatpur PS-Khusrupur Dist- Patna
2. Pankaj Kumar Son of Kailash Prasad Singh Resident of Village-Baikatpur PS-Khusrupur Dist- Patna
3. Dhananjay Kumar Son of Kailash Prasad Singh Resident of Village-Baikatpur PS-Khusrupur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Khusrupur P.S. Case No. 487 of 2022, registered for the alleged offence under Sections 363, 364 of the Indian Penal Code.

03. As per prosecution case, the minor son of the complainant/informant went missing and informant came to know that the petitioners kidnapped his minor son.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. As a matter of fact, the sister of the petitioners, namely,



Sweety Kumari also went missing on the alleged date of occurrence and petitioner no. 1, Sanjay Kumar, lodged Khusrupur P.S. Case No. 222 of 2021 against the informant and his son Rishav Kumar @ Vishal Kumar. Later on, the sister of the petitioners returned to her house and her statement has been recorded under Section 164 of Cr.P.C. and the son of informant also returned to his house. Thereafter, a joint compromise petition has been filed in Khusrupur P.S. Case No. 222 of 2021 as well as in the instant case. Learned counsel further submits that under misunderstanding and suspicious instant case has been instituted by the informant against the accused petitioners. The petitioners have got no criminal history.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the possibility of false implication, let the petitioners above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Patna City, Patna/concerned court in connection with Khusrupur P.S. Case No.



487 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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