

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2274 of 2024

Arising Out of PS. Case No.-347 Year-2023 Thana- GOGRI District- Khagaria

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1. CHHOTU KUMAR @ ANKUSH KUMAR SON OF GORE LAL PANDIT
RESIDENT OF VILLAGE - BARI PHULWARIA, P.S. - GOGARI
(POURA O.P.),. DISTRICT - KHAGARIA
 2. JAI KANT KUMAR SON OF HIRA PANDIT RESIDENT OF VILLAGE -
BARI PHULWARIA, P.S. - GOGARI (POURA O.P.),. DISTRICT -
KHAGARIA
 3. BRAJESH KUMAR SON OF VAKIL PANDIT RESIDENT OF VILLAGE -
BARI PHULWARIA, P.S. - GOGARI (POURA O.P.),. DISTRICT -
KHAGARIA
 4. JAI MALA DEVI WIFE OF GORE LAL PANDIT RESIDENT OF
VILLAGE - BARI PHULWARIA, P.S. - GOGARI (POURA O.P.),.
DISTRICT - KHAGARIA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. LILA DEVI WIFE OF LAL BAHADUR SINGH RESIDENT OF
VILLAGE - PAURA, P.S. - GOGARI (POURA),. DISTRICT -
KHAGARIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alka Singh, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-03-2024 At the outset, it is submitted on behalf of the

petitioner No. 1 that the bail petition of the petitioner No. 1 has

already been withdrawn vide order dated 31.01.2024 .

2. Heard learned counsel for the petitioner Nos. 2, 3

and 4 and the State.

3 . Petitioner Nos. 2, 3 and 4 apprehend arrest in a

case registered for the offence punishable under sections 366A



and 34 of the Indian Penal Code.

4. As per the prosecution case, these petitioners along with other co-accused persons kidnapped the victim for illicit purpose .

5 . It is submitted on behalf of the petitioner No. 4 that victim in her statement recorded under Section 164 Cr. P . C. has not named petitioner No. 4 and doesn't say wrong against her. Petitioner No. 4 is lady and claims clean antecedent.

6. Learned counsel for the State submits that victim in her statement recorded under Section 164 Cr. P . C has categorically named petitioner Nos. 2 and 3 that they along with other co-accused kidnapped her and, as such , their anticipatory bail application is fit to be rejected.

7. Considering the fact that victim in her statement recorded under Section 164 Cr. P . C has categorically named petitioner Nos. 2 and 3 and gravity of offence , against petitioner Nos. 2 and 3, their prayer for anticipatory bail application is hereby rejected.

8 . Considering the fact that victim in her statement recorded under Section 164 Cr. P . C has not named petitioner No. 4 and clean antecedent of the petitioner No. 4, in the event of arrest or surrender within six weeks from today, let the



petitioner No. 4, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate , Khagaria in connection with Gogari P.S. case No. 347 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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