

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75765 of 2024

Arising Out of PS. Case No.-119 Year-2021 Thana- ADAPUR District- East Champaran

1. Bhoj Yadav @ Bhoj Prasad Son of Ram Prasad Yadav R/O- Village- Chainpur Dhangartoli Bhairva Tola, P.S.- Adapur, District- East Champaran
2. Chandeshwar Yadav @ Chandeshwar Kumar Yadav Son of Bhoj Yadav R/O- Village- Chainpur Dhangartoli Bhairva Tola, P.S.- Adapur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Dhannjay Kumar II, Advocate
For the State	:	Mr. Pramod Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363 and 365 of the Indian Penal Code.

3. The prosecution case, in brief, is that these petitioners, along with other accused persons named in the F.I.R., are suspected to have kidnapped son of informant for the purpose of marriage.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. As a matter of fact, son of informant fled away with daughter of co-accused Dineshwar



Sahani for which a case bearing Adapur P.S. Case No. 120 of 2021 was lodged by co-accused Dineshwar Sahani against the informant and others, which was earlier in point of time and the present case is a retaliatory measure intended to save their skin from the aforesaid case. It is further submitted that there is delay of 23 days in lodging of the present F.I.R. and there is no plausible explanation for the same. Petitioners are co-villagers of co-accused Dineshwar Sahani and have got no concern with the alleged occurrence. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation, case and counter-case between the parties, delay in lodging of the F.I.R. and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East



Champaran at Motihari, in connection with Adapur P.S. Case
No. 119 of 2021, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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