

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16128 of 2015**

Arising Out of PS.Case No. -581 Year- 2014 Thana -SONEPUR District-  
SARAN

- =====
1. Jimdar Rai, S/o- Janak Rai.
  2. Dinesh Rai, S/o- Jimdar Rai.
  3. Baliram Rai @ Balram Kumar Rai, S/o- Jimdar Rai.
  4. Madan Rai, S/o- Jimdar Rai.
  5. Ranjit Rai, S/o- Jimdar Rai. All are resident of village- Shaidpur, P.S.- Sonpur, Distt.- Saran.

.... .... Petitioner/s

Versus

1. The State of Bihar.
- .... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      15-05-2015

Heard both sides.

The petitioners apprehend their arrest in Sonapur P.S. Case no. 581/2014, registered for the offences punishable under Sections 364, 34 of the Indian Penal Code.

The mother of the victim boy made allegation that on 16.12.2014 her son went to school to appear at the examination but he did not return. The informant suspected that the petitioners must have kidnapped her son.

Learned counsel for the petitioners submits that from perusal of Annexure III, the certificate issued by the headmaster of K.P.S.P. High School it would appear that the victim boy appeared at the examination on 17.12.2014 but he did not appear at the examination

on 18.12.2014. Mantu Kumar one of the classmate of the victim also disclosed that the victim left the house along with him but on their way to school, the victim came down from the cycle for urinating but thereafter he did not appear at the examination.

It is further submitted that Ranjit Rai, one of the petitioners filed Sonapur P.S. Case no. 577 of 2014 for kidnapping of his daughter against Rajeshwar Mahto (father of the victim) and Rakesh Mahto (the brother of the victim) and there is every probability that the victim must have been concealed by their family members.

On the other hand learned Additional P.P. vehemently opposed the prayer of bail and submitted that during course of investigation the witnesses in para 6, 7 have stated that the victim did not appear on 18.12.2014. During course of investigation it has come that the petitioners took Raushan Kumar (son of the informant) towards Diyara and the victim is traceless.

Considering the facts aforesaid and the fact that the victim is traceless, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J.)**

Rakhi/-

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