

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21423 of 2015

Arising Out of PS.Case No. -67 Year- 2014 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Doodhnath Yadav Son of Dukhi Yadav
 2. Dukhi Yadav Son of Late Mukhlal Yadav
 3. Shankar Yadav Son of Late Mukhlal Yadav
 4. Baili Devi Wife of Dukhi Yadav All are residents of village -
Guruwaliya, Police Station - Bettiah Mufassil (Manuapul), District - West
Champanan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 23-06-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case
registered for the offences punishable under Sections
366A/34 of the Indian Penal Code.

The prosecution case is to the effect that the FIR
named accused persons including the petitioners came to the
house of the informant, ate mutton and thereafter took the
wife of the informant. From the villagers the informant came
to know that petitioner Doodhnath came with six persons

and took his wife.

It is submitted by the learned counsel for the petitioners that in 164 Cr.P.C. statement, the victim has only named Sanjay, Dukhi, Doodhnath and Lalbabu. The 164 Cr.P.C. statement further reflects that the victim on her own returned. The affidavit of the victim has been brought on record suggesting that she married with co accused Lalbabu Mian. It is further submitted that since the informant is residing outside hence his wife developed intimacy with Lalbabu Mian and subsequently she married with him. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the inconsistencies between the prosecution case as narrated in the FIR and the statement of the victim under section 164 Cr.P.C. and the material on record, prima facie, suggest the thrust of accusation against Lal Babu Mian, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the

satisfaction of learned SDJM, Bettiah, West Champaran in connection with Jogapatty P.S. Case No. 67 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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