

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22904 of 2015

Arising Out of PS.Case No. -117 Year- 2014 Thana -HISUA District- NAWADA

- =====
1. Chandan Kumar Son of Balmiki Chouhan
2. Gaurang Kumar Son of Balmiki Chouhan Both are resident of village-
Shivnarayan Bigha, P.S.- Hisua, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Upendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in Hisua
P.S.Case No.117 of 2014 instituted under Sections 323, 341,
364(A), 366, 372, 34(B) of the Indian Penal Code, pending in the
Court of learned C.J.M., Nawada.

The informant has alleged that her daughter was
married with Sonu Chouhan in the years 2008. Three months prior
to the occurrence all the accused persons took the daughter of the
informant to Bengal at Brick kiln giving the lust of money and
when the informant's husband asked about her daughter they
replied about her to be well. When he asked him as to why he has
taken her away without asking him, accused persons became
angry and accused Kamla Devi, Balmiki Chauhan and Gorang



Chauhan assaulted the informant's husband with fists and slaps. They also assaulted the informant by catching her hair-lock and accused Balmiki Chauhan torn her blouse and tried to outrage her modesty and accused Kamla Devi said that her daughter has been married with her son Chandan Kumar. In this regard a Panchayati was held. Balmiki Chauhan told the informant to make her daughter disappeared unless she pays Rs. 60,000/- as ransom and on non payment she will be made prostitute at Bengal.

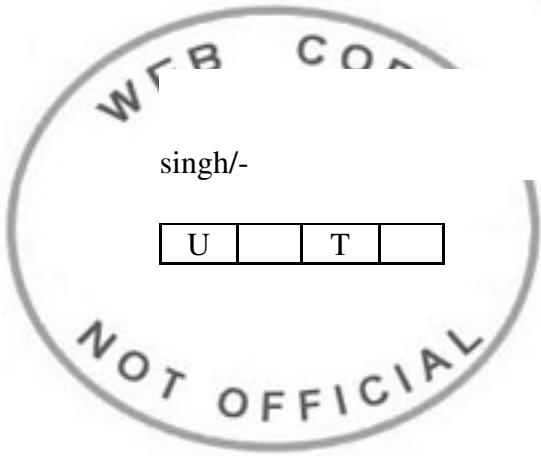
It has been submitted on behalf of the petitioners that they have got no criminal antecedent. It is further submitted that from perusal of para 36 of the case diary it would appear that the victim has come to the village and subsequently after two days she has again returned back. Other witnesses have also stated that for the purpose of marriage the victim was taken away by the accused persons.

On behalf of the State, it has been submitted that the victim has not yet been recovered.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner and the same is rejected.

Any how, if the petitioners surrender in the court within a period of four weeks and pray for regular bail, same may be considered on its own merit without being prejudiced by this

order of rejection, preferably on the same day.



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(Sudhir Singh, J)