

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23869 of 2015

Arising Out of PS.Case No. -101 Year- 2012 Thana -PARSA District- SARAN

1. Dinesh Singh, son of Late Deo Prasad Singh
2. Radha Devi, wife of Dinesh Singh
Both are residents of Village - Sobha Parsa, Police Station - Parsa, District - Saran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

With
Criminal Miscellaneous No.25587 of 2015

Arising Out of PS.Case No. -101 Year- 2012 Thana -PARSA District- SARAN

1. Subhash Singh @ Subash Singh, son of Gaijan Singh
2. Sunita Devi @ Sarita Devi, wife of Subhash Singh @ Subash Singh.
Both are residents of Village- Salhakudar Bagha, Police Station- Garkha, District- Saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :
(In Cr.Misc. No.23869 of 2015)
For the Petitioner/s : Mr. Madan Jeet Kumar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh (App)
(In Cr.Misc. No.25587 of 2015)
For the Petitioner/s : Mr. Madan Jeet Kumar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2015 Both the applications arise out of Parsa P.S. Case No.101 of 2012 registered for the offence punishable under Sections 363(A) and 365 of the Indian Penal Code, as such, they have been heard together and are being disposed of by this

common order.

Heard the learned counsel for the petitioners and the State.

The prosecution case, in brief, is that informant Jagdish Narayan Singh has alleged in his complaint petition that on 10.07.2010, petitioners Dinesh Singh and Radha Devi abducted his son and have sent anywhere. The complainant searched his son everywhere, but did not find any trace and lastly, he came to know that petitioners Dinesh Singh and Radha Devi have sent his son Surat (Gujarat) and when the complainant/informant went to meet his son where petitioner Sunita Devi told that his son has gone to work in a company. The informant waited for next day and on next day, the informant again went at the residence of petitioner Sunita Devi, but she was absconding. The informant searched his son since two months and the petitioners Dinesh Singh and Radha Devi always told that his son would come but till today his son has not come to his house.

On behalf of the petitioners, it is submitted that the petitioners have got no criminal antecedents. It is further submitted that the alleged date of occurrence as per the complaint case is 10.07.2010, but the complaint case was filed

on 25.07.2012 for which no explanation has been made on behalf of the prosecution. It is further submitted that from perusal of the case diary, it would appear that there is no direct or indirect evidence against the petitioners regarding the abduction of the victim boy.

On behalf of the State, it is submitted that the petitioners are named in the First Information Report.

Considering the facts and circumstances of the case, let the petitioners above-named be released on bail in the event of their arrest or surrender within a period of four weeks on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Sri Vivek Rai, learned Judicial Magistrate-1st Class, Chapra in Parsa P.S. Case No.101 of 2012 subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

V.K. Pandey/-

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