

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26099 of 2015

Arising out of PS.Case No. -80 Year- 2015 Thana -AMARPUR District- BANKA

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1. Rambha Devi, W/o Amik Tanti.
 2. Amik Tanti, S/o Late Budhu Tanti.
 3. Rudal Tanti, S/o Amik Tanti.
 4. Rabna Tanti @ Rabna @ Rabin Tanti, S/o Amik Tanti. All residents of Village - Kashpur, Police Station - Amarpur, District – Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Mukherjee, Advocate.

For the Opposite Party : Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2015 The petitioners are apprehending their arrest in connection with Amarpur P.S. Case No. 80 of 2015 for the offences instituted under Section 366A/34 of the I.P.C.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that on 12.03.2015, the sister of the informant, namely, Sajni Devi, had gone to attend call of nature with Rambha Devi at 7.00 P.M. and when she did not return home the informant started searching. When the informant asked from Rambha Devi, she told that two boys came on motorcycle and took her sister forcibly towards Amarpur. It is

alleged that the accused persons in connivance with each other kidnapped the married sister of the informant.

It has been submitted on behalf of the petitioners that as far as the petitioner no. 1 is concerned, no specific allegation has been made against her as she had accompanied the victim while she was going for call of nature. As far as the petitioner no. 2 is concerned, he has not been named by the victim in her statement under 164 Cr. P.C. As far as petitioner nos. 3 and 4 are concerned, it is alleged that they had forcibly taken the victim girl in their custody.

On behalf of the State it has been submitted that there is specific allegation against petitioner nos. 3 and 4 under 164 Cr. P.C. statement.

Considering the aforesaid facts and circumstances, let the petitioner nos. 1 and 2, namely, Rambha Devi and Amik Tanti be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Amarpur P.S. Case No. 80 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

As far as petitioner nos. 3 and 4, namely, Rudal Tanti and Rabna Tanti @ Rabna @ Rabin Tanti are concerned, their application for anticipatory bail is rejected. If they surrender in the court below within a period of four weeks, the learned court below shall consider their case on its own merit without being prejudiced by this order.

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(Sudhir Singh, J)