

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39172 of 2015

Arising Out of PS.Case No. -770 Year- 2014 Thana -SITAMARHI District- SITAMARHI

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1. Poshan Rai son of Shiv Narayan Rai,
2. Pintu Rai son of Poshan Rai
3. Meera Devi wife of Poshan Rai
All residents of Village- Amghatta, Police Station and District - Sitamarhi.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Nagendra Pd. Yadav

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-11-2015 Heard both sides.

The petitioners, namely, Poshan Rai, Pintu Rai and Meera Devi, apprehend their arrest in a case under Sections 363, 366(A) and 34 of the Indian Penal Code.

The mother of the victim alleged that Meera Devi (petitioner no. 3) took her minor daughter to her house and thereafter her minor daughter did not return. The informant made a specific allegation that the petitioner no. 3 in collusion with petitioners no. 1 & 2 kidnapped her minor daughter for sale. It is submitted that the occurrence is of 23.08.2014 but the F.I.R. was lodged on 06.09.2014. There is no material against the petitioners. The victim might have fled away from her own house and the petitioners have been falsely implicated in the case.

Having considered the facts that there is a specific allegation that petitioner no. 3 Meera Devi took the minor daughter of the informant from her house and thereafter all the petitioners left the house with the victim and since then she is traceless, I am not inclined to enlarge the petitioners on anticipatory bail in Sitamarhi P.S. Case No. 770/1014. Accordingly, the same is rejected.

Dilip/-

(Prabhat Kumar Jha, J)

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