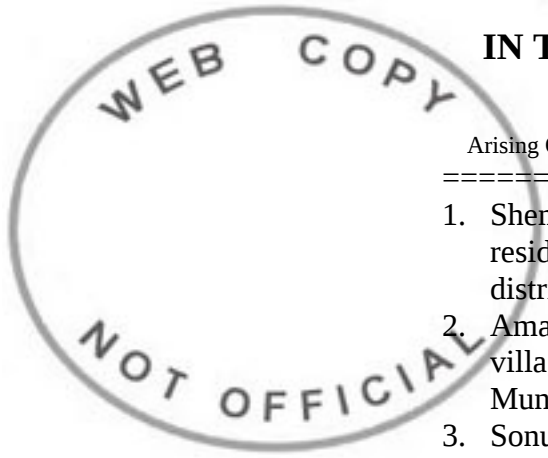




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48968 of 2014

Arising Out of PS.Case No. -228 Year- 2013 Thana -MUNGER MUFFASIL District- MUNGER

- =====
1. Shempul Kumar Singh son of Sri Sikandar Singh @ Sipahi Singh resident of village - Shitalpur, Police Station - Munger Mufassil in the district of Munger.
 2. Amardip Kumar Singh @ Vicky son of Sri Shyam Singh resident of village - Shitalpur, Police Station - Munger Mufassil in the district of Munger.
 3. Sonu Kumar @ Sonu Kumar Singh son of Sri Ravindra Singh resident of village - Parihara, Police Station - Bakhari in the district of Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. M.K. Khare(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 30-04-2015 Heard learned counsel for the petitioners as well as learned counsel for the State.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 366A, 376 and 120 B of the I.P.C.

Allegedly, minor daughter of the informant was kidnapped by the petitioners and others and during investigation statement of the victim girl has been recorded under section 164

Cr. P.C. also wherein she has stated that she was kidnapped forcibly by Vicky (petitioner no.2) and Sonu (Petitioner no. 3) and when she was left there was Shempul Kumar (petitioner no.1) also.

Submission is of false implication and that the victim in her statement recorded under section 161 Cr. P.C. has stated otherwise that she was not kidnapped rather she was scolded by her parents in the morning and she herself left her house and went to Bhagalpur. There is no allegation of committing rape and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

Considering that the victim in her statement recorded under section 164 Cr. P.C. has stated the name of Vicky (Petitioner no. 2) and Sonu (Petitioner no.3) and accordingly their such prayer stands rejected.

But considering that there is no allegation against Shempul Kumar (petitioner no.1) and as such in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. Sri Raj

Kumar Ravidas, S.D.J.M. Munger in Munger Mufassil P.S. Case
No. 228 of 2013, subject to the conditions as laid down in section
438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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