

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51566 of 2014

Arising Out of PS.Case No. -274 Year- 2014 Thana -COMPLAINT CASE District- JAMUI

- =====
1. Bharat Yadav
 2. Brahmdeo Yadav both sons of Kuldeep Yadav
 3. Vijai Yadav son of Bharat Yadav
 4. Dileshwar Yadav @ Dilewar Yadav
 5. Anil Yadav
 6. Subodh Yadav @ Subodh Kumar Yadav all sons of Deep Narayan Yadav
 7. Dep Narayan Yadav son of Late Mangar Yadav
 8. Ashok Yadav son of late Lakhan Yadav All resident of village - Alakhpura, P.S. Gidhaur, Distt. - Jamui

.... Petitioner/s

Versus

1. The State of Bihar
2. Videshi Yadav, S/o Late Dhokal Yadav, resident of village- Alakhpura, P.S.- Gidhaur, District- Jamui

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-05-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners seek the privilege of pre arrest bail in connection with Complaint Case No. 274C of 2014 registered for the offence under Sections 364/34 of the Indian Penal Code.

Allegedly, the son of the complainant was taken away by the petitioners to Delhi, Panipat by giving allurements that there will be very good earning. Though, the complainant was not ready to send him. Son of the complainant talked to the complainant and told him that the petitioners have brought



him to Delhi, Panipat, but thereafter no talk was going on and then suspicion arises. When the petitioner Bharat Yadav and Brahmdeo Yadav came to his village, then the complainant asked about his son, but they demanded Rs. 5,000,00/- and told that his son would come back, if demand would be fulfilled, but when the son did not return back, then the complainant gave information to Gidhaur Police Station and then filed complaint.

Submission is of false implication that no occurrences as such have taken place. The complainant himself has taken away his son to Delhi for the work of labour, but he did not return, as the son of the complainant was not able to speak and taking advantage of the situation this false case has been lodged. Gidhaur police enquired into the matter and submitted report vide Annexue-3, to which the learned A.P.P. duly assisted by the complainant opposes by submitting that the petitioners are very influential and strong persons and they have managed Gidhaur police and got submitted collusive report. The son of the complainant is still traceless and as such the petitioners do not deserve the privilege of pre-arrest bail.

In the circumstances stated above, considering that the son of the complainant is still traceless and the complainant and other witnesses have supported the contents of complaint petition and as such this Court is not persuaded to grant the privilege of pre arrest bail to the petitioner.

Accordingly, their prayer for anticipatory bail stands rejected.

However, if the petitioners surrender and seek regular bail, their prayer for bail shall be considered on its own merit without being prejudiced by this order.

(Jitendra Mohan Sharma, J)

P.K./-

U		T	
---	--	---	--