

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33127 of 2015

Arising Out of PS.Case No. -34 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

1. Ram Sundar Yadav, Son of Late Muneshwar Yadav
2. Mithilesh Yadav @ Mithilesh Kumar Yadav Son of Ram Sundar Yadav
Both Resident of village - Sonwar Chak, P.S. Bibhutipur, District -
Samastipur (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Jagdhar Pd. (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-10-2015 Heard both sides.

The petitioners, two in number, apprehend their arrest in a case under Sections 363, 366(A), 34 of the Indian Penal Code.

The informant named the petitioners along with other accused persons and alleged that they all kidnapped his minor daughter while she had gone to attend the call of nature. The informant does not appear to be an eye-witness of the occurrence. The victim made her statement under Section 164 Cr.P.C. on 02.05.2015 and she disclosed that her aunt pushed her in a Bolero vehicle in which Satish Kumar Yadav and the driver were sitting. They took her to Samastipur and from there, Ram Sundar Yadav (petitioner no. 1) and Mithilesh Yadav (petitioner no.2)

accompanied with other accused persons took her to Kolkata. It is submitted that the victim was taken Kolkata but she did not raise any hue and cry. She made her statement under Section 164 Cr.P.C. after two months of the occurrence. The petitioner did not even touch her body. The petitioner happens to be father and brother of Satish Kumar Yadav.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri A. Kumar, Judicial Magistrate, 1st Class, Rosera, Dist. Samastipur in Bibhutipur P.S. Case No. 34/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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