

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31147 of 2015

Arising Out of PS.Case No. -176 Year- 2014 Thana -BUXAR MUFFSIL District- BUXAR

- =====
1. Surendra Prajapati Son of Late Shobh Nath Kohar
 2. Daya Shankar @ Daya Shankar Prajapati Son of Bihari Prajapati
 3. Ashok Prajapati
 4. Raju Prajapati @ Raju Kumar
- Both sons of Surendra Prajapati
All residents of Village - Hedua, P.S. Rajpur, District - Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mrs. Gulnar Begum (APP)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 12-10-2015 Heard both sides.

The petitioners, four in number, apprehend their arrest in a case under Sections 364, 365, 34 of the Indian Penal Code.

The petitioners are father, uncle and brothers of Gita Devi. Gita Devi was married to Bablu Prasad. The complainant stated that Gita Devi left her house along with her children with the accused persons. Thereafter the accused persons came and kidnapped his son Bablu Prasad. It is submitted that the occurrence took place on 05.06.2013 but the complaint petition was filed on 20.06.2013, i.e. after two weeks of the occurrence. Bablu Prasad had gone to Punjab and this case has been filed only

to create defence so that Gita Devi may not file a case against her husband and other in-laws. The Investigating Officer has not yet collected any evidence. It appears that the complainant claimed himself to be an eye-witness of the occurrence of kidnapping his son but even then, after two weeks of the occurrence, he filed the complaint petition.

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 the learned Chief Judicial Magistrate, Buxar in Buxar (M) P.S. Case No. 176/14, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Dilip/-

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