

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51158 of 2015

- =====
1. Guddu Paswan, son of Jagarnath Paswan
 2. Shyam Lal Paswan, Son of Bigan Paswan
 3. Bikau Paswan, Son of Shyam Lal Paswan
 4. Jibish Paswan @ Jinish Paswan, Son of Janak Paswan

All residents of Village- Kushar, P.S.- Tariyani, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Arun Kumar Singh 5 (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 10-11-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 366A of the Indian Penal Code.

The accusation is of abducting the minor grand daughter of the informant on 05.09.2015 at 12.00 noon. It is further alleged that on the information supplied by petitioner no. 2 Shyam Lal Paswan the victim was recovered from the

house of Vinod Paswan, the brother-in-law (Sarhu) of petitioner no. 2.

It is submitted by learned counsel for the petitioners that for the occurrence of 05.09.2015 the FIR was registered on 12.09.2015 which reached to the court of learned I/C ACJM on 16.09.2015 which suggests that the FIR was registered by antedating. The date of recovery has not been disclosed by the informant and not the victim was either allowed to undergo medical examination or her statement was recorded under Section 164 Cr.P.C. The petitioners' side earlier lodged Tariyani P.S. Case No. 133 of 2015 against the son of the informant and others, hence, as a retaliatory measure the present case has been lodged.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the delayed lodging of the case and the case lodged by the petitioners' side at earlier point of time, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned

Chief Judicial Magistrate, Sheohar in connection with Tariyani
P.S. Case No. 134 of 2015, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

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