

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30368 of 2012

Arising Out of PS.Case No. -150 Year- 2004 Thana -null District- VAISHALI(HAJIPUR)

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1. Lallan Singh @ Lalan Prasad Singh,
 2. Bhakta Vatsalya Narayan Singh @ Bachha Singh, both S/O Fakira Singh,
 3. Madhuri Devi, W/O Shri Bhakta Vatsalya Narayan Singh @ Baccha Singh, all resident of village- Kakrahta, Police Station- Bidupur, District- Vaishali.
- Petitioner/s

Versus

1. The State of Bihar
2. Chandrachud Mani, S/O Shri Ram Baran Rai, resident of village- Bidupur Bazar, Police Station- Bidupur, District- Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Nayan Singh, Advocate
Mr. Dinesh Maharaj, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 07-04-2015

1. The Petitioners seek quashing of the order of cognizance dated 31.03.2010 passed in Bidupur P.S. Case No.150 of 2004 (Trial No.1440 of 2010) by the Judicial Magistrate, 1st class, Vaishali at Hajipur.

2. The backgrounds facts of the case is that a First Information Report was instituted stating therein that his brother had been kidnapped by the Petitioners for the purpose of ransom.

3. Before the institution of the present First Information Report, the Petitioner No.1 had instituted a case against the brother of the Informant for kidnapping of his daughter Soni, who is traceless

since then.

4. Counsel for the Petitioners submits that apart from the confessional statement of the Petitioners and some of the family members, there is no legal evidence against them. Those witnesses subsequently gave statement recorded under Section 164 Cr. P. C. that they had been tortured to give confessional statement showing their complicity.

5. Case Diary was called to ascertain the nature of materials against the Petitioners and on going through the contents having been placed before this Court, which this Court does not wish to discuss because it may prejudice the case of the parties, I am not inclined to interfere in the matter.

6. The application is dismissed.

(Anjana Prakash, J)

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