

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43924 of 2015

Arising Out of PS.Case No. -367 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Raju Yadav, Son of Virbahadur Yadav
 2. Indradeo Yadav, @ Inderdev Yadav, Son of Sukhal Yadav Both Resident of Village- Bhanachak, P.S. Majhaulia, District- West Champaran.
 3. Ahmad Miya @ Ahmad Mian, Son of Inner Miya, R/o village- Gurchurva P.S. Majhaulia, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 13-10-2015 Hear counsel for the petitioners.

No one appears on behalf of the State.

The petitioners herein are named in the FIR lodged under section 366/34 IPC. The allegation is that when the informant's daughter, who was a divorced lady, aged about 30, had gone for getting injected at Majhaulia, the petitioners were already present at the clinic of Dr. Raju. They took her photograph. On getting injected, she became unconscious and subsequently found herself in the house of one Sanjay Yadav where it was revealed that she was kidnapped by the petitioner and sold to Sanjay Yadv for the purpose of marriage.

The contention of the petitioner is that there is inordinate delay of 08/09 months in lodging the case. An affidavit affirmed by Sanjay Yadav and Kismish Devi has been enclosed to submit that they have solemnized marriage.

The victim was produced before the court for recording her statement under section 164 Cr. P.C. in which she has supported the prosecution case and the allegation levelled against the accused(s).

Having regard to the facts and circumstances of the case, the prayer for bail on behalf of the petitioner is rejected. The petitioner should surrender and seek regular bail in the court below.

(Kishore Kumar Mandal, J)

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