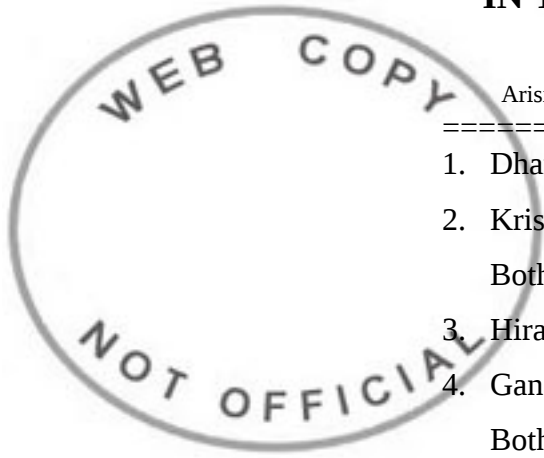




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45010 of 2015

Arising Out of PS.Case No. -118 Year- 2015 Thana -SAHKUND District- BHAGALPUR

- =====
1. Dharmendra Yadav @ Dharmendra Kumar Yadav
 2. Krishna Yadav @ Krishna Kumar
Both sons of Ganauri Yadav
 3. Hirad Yadav
 4. Ganauri Yadav
Both sons of Late Chulho Yadav
 5. Gouri Devi @ Gori Devi, wife of Uday Narayan Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Upendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 16-10-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 366A, 504 and 506/34 of the Indian Penal Code.

The accusation is of kidnapping the minor daughter of the informant by co-accused Jitendra Yadav when the informant went to make complaint to petitioner no.4 Ganauri Yadav, father



of Jitendra Yadav, then the petitioners being brothers, uncle and other relatives of Jitendra Yadav abused and assaulted the informant. The thrust of accusation is against Jitendra Yadav. In 164 Cr.P.C. statement the victim has stated that Jitendra Yadav took her on the bike but has not misbehaved with her though Jitendra Yadav wanted to marry her.

It is submitted by learned counsel for the petitioners that in 164 Cr.P.C. statement the victim has not named the petitioners. Moreover, even assuming the accusation, levelled in the FIR, no offence under section 366A IPC is made out against the petitioners but they have only been roped in the present case since they happen to father, brothers, uncle and other relatives of the main accused Jitendra Yadav. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Bhagalpur in connection with

Shakhund (Sajour) P.S. Case No.118 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

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(Dinesh Kumar Singh, J)