

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55142 of 2015

Arising Out of PS.Case No. -182 Year- 2015 Thana -GOPALPUR District- BHAGALPUR

- =====
1. Sudhir Sah son of Late Manrup Sah
 2. Bina Devi Wife of Sudhir Sah null
 3. Nilesh Sah @ Arjun Sah Son of Sudhir Sah All resident of Village- Sahu Tola, Bhawanipur, P.S. Rangra, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. M.K. Nirala (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 11-12-2015 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Gopalpur P.S. Case No. 182 of 2015 registered under Section 366A/34 of the Indian Penal Code.

The allegation of informant Pulkeet Singh is that petitioners and one Sofia @ Amod Sah and son of the petitioner no.1 Sudhir Sah under conspiracy kidnapped Manisha Kumari, daughter of the informant, aged about 14 years for the purpose of performing the marriage. In course of search, he came to know from his villager that her daughter was kept in the house of one Kamlesh Sah with the help of Punam Devi, wife of Kamlesh Sah

and when he reached his house, his wife told that in the morning both moved from there with her husband.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. itself that there was love affair in between daughter of the informant, Manisha Kumari and co-accused Sofia. The victim Manisha Kumari in her statement under Section 164 Cr. P.C. has not stated about kidnapping in any manner rather she has stated about moving with Kamlesh Sah with intention to perform the marriage and also love affairs with Sofia @ Amod Sah, son of the petitioner no.1. The petitioners, being father, mother and brother of Sofia have falsely been implicated in the present case.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Naugachia, Bhagalpur in connection with Gopalpur P.S. Case No. 182 of 2015 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J.)

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