

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51577 of 2015

Arising Out of PS.Case No. -310 Year- 2014 Thana -BAKHRI District- BEGUSARAI

- =====
1. Md. Jubair Khalipha @ Jubair Khalipha S/o Late Indris Khalipha
 2. Md. Riyaz Aalam S/o Jubair Khalipha Both are residents of Village - Bakhri, P.S. - Bakhri, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. G.S.Gupta(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-12-2015 Let the defect No. 14 (1) as pointed out by the Stamp
Reporter, kept at flag "B" be ignored.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Bakhri P. S. Case No. 310 of 2014 registered for offences
punishable under Sections 341, 323, 363, 364, 366 (A), 372, 504,
506/34 of the Indian Penal Code.

The prosecution case is that on 10.10.2014 Hemlata
Kumari, the daughter of informant Heera Lal Sahu went to
Rajkiyakrit Sri Lakshami Udit Narayan High School. Sakarpura
Bakhri along with 2-3 friends for appearing in Test Exam of



Class- X but till 4 P.M. she did not return. Then informant started searching. During search, Nayala Sonam, the friend of Hemlata informed that Md. Shakil took Hemlata to school. Hemlata was reading in the coaching of Md. Shakil, which was running in the house of Sunil Kumar. Informant along with family members reached at the house of Md. Shakil, the father of Md. Shakil told that his son had gone out, then informant narrated entire incident to him. Thereafter, Md. Jubair Khalipha, Md. Riyaz Alam, Ladli Khatoon@ Ladli Praveen started abusing and assaulting the informant by fists and slaps and also threatened him of dire consequences. The informant apprehended that all family members of Md. Shakil had kidnapped his daughter.

It has been submitted by the learned counsel for the petitioners that the deposition of the victim under Section 164 specifies the name of Md. Shakil.

It has further been submitted that the petitioner No. 1 is father of Md. Shakil and petitioner No. 2 is brother of Md. Shakil against whom there is no allegation and only allegation has been levelled by the victim girl under Section 164 of the Cr. P.C. is against Md. Shakil.

In view of the facts and circumstances stated above, let the above named petitioners in the event of their arrest or

surrender before the Court below within a period of six weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bakhri P.S.Case No. 310/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

(Nilu Agrawal, J)

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