

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12446 of 2016

Arising Out of PS.Case No. -56 Year- 2014 Thana -TARARI District- BHOJPUR

- =====
1. Sheo Shankar Sah, S/o Late Hari Narain Sah
 2. Tila Devi, W/o Sheo Shankar Sah Both are resident of Village- Chaugai, P.S.- Karakat, District- Rohtas.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party : Mr. Anil Kr.Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

3 30-05-2016 Heard learned counsel for the petitioners as well as

learned counsel for the State.

The petitioners are husband and wife. They apprehend their arrest in relation to Tarari P.S. Case No. 56 of 2014 registered under Sections 342, 363 and 365/34 of the Indian Penal Code.

By none other than their brother-in-law whose wife is sister of the petitioner no. 2. The allegation is that the petitioners took away the minor son of the informant to Mumbai and instead of taking care, the informant apprehends that they have sold him.

On behalf of the petitioners, it is submitted that it is only a family dispute and nothing else. The boy is not a minor boy, but is over 22 years of age. He had left his home and gone to

Mumbai where his elder brother works. His elder brother, who works in Mumbai has lodged an information to the Mumbai Police stating that his younger brother aged 22 years has gone a miss in Mumbai. Thus, it is submitted that it is clear that the boy was not taken from Ara by the petitioners but had gone to Mumbai on his own to his elder brother and from where he has gone a miss.

Be that as it may, in the event of their arrest/surrender before the court below within four weeks, let the above named petitioners, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of Smt. Divya Jaiswal, Judicial Magistrate 1st Class, Ara, in connection with Tarari P.S. Case No. 56 of 2014 subject to conditions laid down under Section 438(2) of the Code of Criminal Procedure.

Mishra/Rajiv

(Navaniti Prasad Singh, J.)

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