

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10334 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Nathu Yadav, Son of Late Kolai Yadav
 2. Prince Yadav, Son of Nathu Yadav
 3. Manju Devi, Wife of Dinesh Mahto. All residents of village - Banuchhapar, P.S. Bettiah Muffasil (Banuchhapar O.P.), District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. P.K. Jha (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 29-06-2016 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners apprehend arrest in connection with

Bettiah Muffasil (Banuchhapar) P.S. Case No. 22/16 for offences

alleged under Sections 365, 366A/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant,

is that on 05.01.2016 at about 3.30 A.M. her daughter Rani
Kumari, aged 14 years, was enticed away by one Sandeep Kumar
Yadav, a married person, for purpose of marriage in connivance
with the petitioners. It is further alleged that the said Sandeep
Kumar Yadav was residing at the house of his maternal uncle,

petitioner no. 1 and used to impart tuition to the victim girl.

It has been submitted by the learned counsel for the petitioners that the main thrust of allegation of enticing and kidnapping the informant's minor daughter Rani Kumari is upon Sandeep Kumar Yadav, both of whom have not yet been traced out. He submits that petitioner no. 1 being the maternal uncle of the accused Sandeep Kumar Yadav and was residing in his house imparting tuition to the victim girl that the petitioner no. 1 and his son petitioner no. 2 has been made accused and petitioner no. 3 being the neighbour and family friend has also been made accused. He further submits that these petitioners have no criminal history, as is evident from paragraph 3 of this application. He further submits that the matter is under investigation and these petitioners have home and hearth in the village, hence, there is no chance of absconding or tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the matter is under investigation and the petitioners undertake not to abscond and tamper with the prosecution evidence, let petitioners, above named, in the event of their arrest or surrender before the court

below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Bettiah Muffasil (Banuchhapar) P.S. Case No. 22/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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