

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20473 of 2016

Arising Out of PS.Case No. -198 Year- 2014 Thana -SONEPUR District- SARAN

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1. Sheela Devi wife of Lal Babu Rai, resident of Village- Sabalpur Newal Tola, P.S. Sonepur, District- Saran.
2. Gunja Devi D/o. Lal Babu Rai, wife of Raj Kishore Rai, resident of Village Etwarpur Pakari, P.S. Lalganj, District Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dhananjay Mishra, Advocate.

For the Opposite Party/s : Mr. D.P. Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-07-2016

Heard both sides.

The petitioners apprehend their arrest in Sonepur P.S.

Case No. 198/2014 registered under Sections 364, 372/34 of the Indian Penal Code.

The informant alleged that the petitioners kidnapped Guddu Kumari, aged about 16 years, for indulging in immoral activities. It is submitted that the victim was a major girl and she had eloped with a boy of Orissa. There is no evidence that the petitioners kidnapped the victim girl.

It appears that Milan Rai and Rekha Devi and other witnesses have stated that they saw the petitioners taking away the victim girl with them.

Learned counsel for the petitioner referred to Para 53,

60 and 61 of the case diary which are the statements of the spy of the police and the investigating officer has not recorded the statement of any witness to show that the victim herself fled away from her house. There is sufficient evidence to show that the petitioners kidnapped the victim and they were seen while taking away the victim.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail in Sonapur P.S. Case No. 198 of 2014. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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