

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48344 of 2015

Arising Out of PS.Case No. -269 Year- 2014 Thana -MAJORGANJ District- SITAMARHI

- =====
1. Nagendra Ram Son of Gaguni Ram,
 2. Ramesh Ram, Son of Nagendra Ram,
 3. Lalita Devi, Wife of Chandrika Ram, All Resident of village - Basaha,
P.S. - Bajpatti, District - Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party : Mr. Amit Kr. Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Majorganj P.S. Case No. 269 of 2014 pending in the Court of CJM, Sitamarhi for the offences instituted under Sections 364, 365, 406 and 420/34 of the Indian Penal Code.

As per prosecution case that the complainant/informant is a poor man. The son-in-law of his villager, namely, Chandrika Ram along with his father Nagendra Ram (petitioner no.1) and brother Pappu Ram came to the house of the complainant and assured to keep her son Mantu Ram with all care in Delhi, and will get him learnt the tailoring work so that he could earn good



money. It is further alleged that initially the complainant/informant did not agree but the accused persons took the son of the complainant/informant along with them on 09.04.2014 on the pretext that they will give Rs.10,000/- per month, and will also get him learn the work and accused Chandrika Ram used to allow the son of the complainant/informant Mantu Ram to talk with mobile but the accused persons did not give any money to the complainant. The complainant started making request to return his son then the accused persons told that his son has disappeared. Thereafter, the accused persons made demand of Rs.50,000/- from the complainant/informant to return his son.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. As per the prosecution case, it is Chandrika Ram who had induced the victim to accompany him to Delhi. Petitioner no.1 is the father of Chandrika Ram, petitioner no.2 is the brother of Chandrika Ram and petitioner no.3 is the wife of Chandrika Ram. The complaint has been filed after lapse of more than two months. No explanation has been made on behalf of the prosecution.

On behalf of the State, it has been submitted that the petitioners are named in the complaint/FIR and the victim is still

traceless.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the petitioners, namely, Nagendra Ram and Ramesh Ram on anticipatory bail, the same is rejected.

Petitioner no.3, being a lady, namely, Lalita Devi, is directed to be released on bail in the event of her arrest or surrender before the learned court below within a period of six weeks from today in connection with Majorganj P.S. Case No. 269 of 2014 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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