

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27192 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -SC/ST District- ARRARIA

1. Subodh Mandal Son of Upendra Mandal

2. Upendra Mandal Son of Dulan Mandal

3. Sita Devi Wife of Upendra Mandal

4. Radha Kumari Daughter of Upendra Mandal

All resident of village - Hingna Awrahi Ward No. 8, Police Station

Simraha, District - Araria

5. Ausim Khan Son of Md. Rajjak Resident of village - Parmanandpur,

Police Station Raniganj, District - Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Ambika Bhagat

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 05-07-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 366A, 406, 120B/34 of the Indian Penal Code and 3(1)(x) of SC/ST (Prevention of Atrocities) Act.

The prosecution case is that the wife of the informant was abducted by petitioner nos. 1 and 5 namely, Subodh Mandal and Ausim Khan when the informant went to made protest then family members of Subodh Mandal abused the informant. Petitioner nos. 2 to 4 are the parents and sister of

petitioner no. 1 Subodh Mandal.

It is submitted by learned counsel for the petitioners that for the initial occurrence of 25.02.2016 the FIR was registered on 04.04.2016. In 164 Cr.P.C. statement the victim has stated that she was never been kidnapped. In fact, her husband is alcoholic hence she does not want to live with him and the present case has been lodged with frivolous accusation. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, 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, Araria in connection with Araria SC/ST P.S. Case No. 15 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--