

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34665 of 2016**

Arising Out of PS.Case No. -37 Year- 2015 Thana -MEERGANJ District- GOPALGANJ

- =====
1. Bade Lal Chauhan, son of Jagdish Chauhan, resident of village- Ratanpura, P.S.- Vijaipur, District- Gopalganj.
  2. Maya Devi, wife of Ambika Chauhan,
  3. Ambika Chauhan, son of Late Chandrika Chauhan, Both 2 & 3 resident of village- Lawangiyadih, P.S.- Patherwa, District- Kushinagar, Uttar Pradesh.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

ORAL ORDER

3      28-09-2016      Heard both sides.

The petitioners apprehend their arrest in Mirganj P.S. Case No. 37/2015, G.R. No. 342/2015, registered for the offences punishable under Sections 363A, 364, 406, 420 and other sections of the Indian Penal Code.

The informant filed a complaint case bearing no. 61/2015 on the basis of which the present F.I.R. was lodged. The informant alleged that on the request of Bade Lal Chauhan petitioner no. 1, he sent his son to Nasik at the reliance of Maya Devi petitioner no. 2 and Ambika Chauhan petitioner no. 3 who happens to be the sister and the brother-in-law of Bade Lal

Chauhan, but the son of the informant did not return.

Learned counsel for the petitioners submits that Bade Lal Chauhan only requested his sister and brother-in-law to take the son of the informant who happens to be Fufa of Bade Lal Chauhan. Bade Lal Chauhan petitioner no. 1 did not go to Nasik. The boy was living and working with Maya Devi and Ambika Chauhan from where he became traceless. The boy is still traceless.

Considering the facts aforesaid and the fact that Bade Lal Chauhan petitioner no. 1 did not take the boy and he only requested his sister and brother-in-law to take the boy for providing job, Bade Lal Chauhan petitioner no. 1, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Mirganj P.S. Case No. 37/2015 G.R. No. 342/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

So far as the case of Maya Devi petitioner no. 2 and Ambika Chauhan petitioner no. 3 is concerned, they took the boy

to Nasik for providing job, but the boy is still traceless.

Considering the facts aforesaid, I am not inclined to enlarge Maya Devi petitioner no. 2 and Ambika Chauhan petitioner no. 3 on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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