

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46716 of 2016

Arising Out of PS.Case No. -117 Year- 2016 Thana -BARGANIA District- SITAMARHI

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1. Shamshad Mian S/o Adud Mian
2. Naushad Mian S/o Adud Mian Both resident of Village- Lahari Tola,
P.S.- Bairganja, District- Sitamari.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Virendra Kumar, Advocate.

For the Opposite Party : Mr. Satyadev Prasad Singh Yadav, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 22-12-2016 Heard both sides.

The petitioners apprehend their arrest in Bairganja P.S.
Case No. 117 of 2016, registered for the offences punishable
under Sections 363, 366 and 372 of the Indian Penal Code.

The informant alleged that his daughter aged about 18
years was going to the house of her maternal aunt but both the
petitioners kidnapped her on a motorcycle.

Learned counsel for the petitioners submits that the
petitioners have not kidnapped the victim. The victim and her
parents appeared before the Sessions Judge, Sitamarhi at the time
of hearing of the bail petition and they have stated that the victim
had gone to the house of her maternal aunt but from perusal of the
case diary it appears that the victim did not make her statement



under Section 164 of the Code of Criminal Procedure nor appeared before the court. The informant made specific allegation that the petitioners forcibly kidnapped her on a motorcycle.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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