

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26397 of 2016

Arising Out of PS.Case No. -64 Year- 2016 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Ashok Yadav Son of late Dopit Yadav
2. Lakshman Kumar @ Lakshman Yadav Son of Ashok Yadav, both
Resident of Village- Krishna Bigha, P.S.- Hilsa, District Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-07-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in
connection with Hilsa P.S. Case No.64 of 2016 for the offences
instituted under Sections 366(A)/34 of the Indian Penal Code.

The prosecution case, in brief, is that on 16.01.2015
at 2.30 P.M., the informant had gone to irrigate the crops of wheat
and when he returned at his house in evening his wife stated that
the petitioner no.2 came at his house and asked his wife about his
daughter Paro Devi stating that his Bhabhi Tetari Devi was calling
her to meet near the temple of lord Bajrangbali upon which his
wife sent her daughter with the petitioner no.2 to meet her, but his

daughter did not return till evening, then he went to the house of the petitioners who did not give any satisfactory answer about her daughter. On the next day, he came to know that his daughter was seen with the petitioners and accused Tetari Devi near the same temple of Lord Bajrangbali. Thereafter, he went to the house of Tetari Devi at Birnawan where she was not found in her house and he came to know that she had gone somewhere on the last day.

It is submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The alleged date of occurrence is on 16.01.2016. The complaint was filed on 27.01.2016. Delay has not been explained by the prosecution. Subsequently, the informant, vide Annexure-2, filed application in the court below where he has retracted from his earlier statement.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, II, Hilsa, Nalanda, in connection with Hilsa P.S. Case No.64 of 2016,

subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Sudhir Singh, J)

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