

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48991 of 2015

Arising Out of PS.Case No. -116 Year- 2015 Thana -DURAULI District- SIWAN

1. Arvind Patel, Son of Dudhnath Patel
2. Rohit Patel, Son of Sheo Shanker Patel Both resident of Village -Tarwa
Parasia, Police Station -Droli, District -Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

29-01-2016 Heard learned counsel for the petitioners as well as
learned A.P.P. for the State.

The petitioners seek bail in connection with Darauli
P.S. Case No. 116/2015 registered for the offences punishable
under Sections 366/34 of the Indian Penal Code.

Allegedly, the petitioners and co-accused kidnapped
Babita Kumari @ Babita Kumari Sharma, aged 18 years, sister of
the informant and co-accused Chhotu Patel used to talk with the
victim on her mobile from earlier.

Submission is of false implication and that no one has
seen the petitioners taking away the victim girl and only on
suspicion the petitioners have been named resulting they are
suffering in custody since 31.07.2015, from the statement of
Sangita Kumari vide para 7 it reveals that Babita did not go to

stitching centre and thereafter she became traceless, she is major and she went away with co-accused having love affair and as such the petitioners deserve sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioners are also named in the FIR and the victim girl is still traceless.

In the facts and circumstances stated above, considering that admittedly co-accused Chhotu Patel used to talk with the victim on her mobile from earlier and not with the petitioners and as such the petitioners, above named, are directed to be released on bail on execution of bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Darauli P.S. Case No. 116/2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J.)

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