

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7994 of 2016

Arising Out of PS.Case No. -196 Year- 2015 Thana -AMAUR District- PURNIA

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1. Putul Kumari D/o Domar Lal Harijan
 2. Lolini Devi W/o Late Agam Lal Harijan
 3. Sarbin, Son of Domar Lal Harijan
 4. Mandovi Devi, Wife of Domar Lal Harijan
 5. Pratima Devi, Wife of Babu Lal Harijan
 6. Jhubo Devi, Wife of Dilip Harijan
 7. Dilip Harijan, son of Late Somay Harijan
 8. Tinka Harijan, Son of Domar Lal Harijan
 9. Tuntun Harijan, Son of Late Somay Harijan
 10. Kishan Lal Harijan, Son of Fakir Chand
 11. Jyotish Dealer @ Jyotish Harijan, Son of Late Kadam Lal Harijan, R/o vill.- Amoul Tola- Ram Nagar, P.S.- Amour, District- Purnea. Pet. No. 1 to 10 resident of village- Gyandeb, All P.S.- Amour, District- Purnea
 12. Santosh Kumar Roy, Son of Late Ram Prasad Roy, Resident of village- Amoul Tola, Ram Nagar, P.S. Amour, District- Purnea
 13. Badri Nath @ Badri Nath Das, son of Bahadur Lal Das, Resident of village- Gyandeb, P.S.- Amour, District- Purnea

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Abhay Kr. Roy(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-02-2016

Heard learned counsel for the petitioners and
learned A.P.P. for the State.

Petitioners apprehend their arrest in connection
with Amour P.S. Case No.196 of 2015 registered for
offences punishable under Sections 341, 342, 323, 365, 201
and 354(B)/34 of the Indian Penal Code.

The prosecution case is that one Md. Manjur



Alam filed a written petition stating therein that a case bearing Amour P.S. Case No.92 of 2015 under section 376 I.P.C. is pending regarding his daughter namely Mobassira Mansuri against Brajesh Kumar, S/o Santosh Kumar Rai and 02.11.2015 is date fixed of the aforesaid case. On 29.10.2015 at about 6:30 P.M. his daughter Mobassira Mansuri disappeared from his house. He began to search his daughter but she could not be found. At about 9:30 P.M. Md. Sajjad Alam, Fertilizer shopkeeper of village Jhangar Toli that his daughter is in his house who has been brought by Chaukidar Manik Lal Harijan. The informant went there and brought his daughter. On interrogation his daughter narrated the story of her kidnapping. She further stated that she has gone for water at her Darwaza where the accused persons were present and they closed her mouth and tied her hands brought her to paddy field and from there she was brought in the house of Jyotish Dealer where Santosh Kumar Rai and Badari Nath was sitting with arms. They all brought her in paddy field with purpose to kill her but on hearing sounds, chowkidar came there. Having seen the chowkidar they fled away who brought her in the house of shopkeeper.



It has been submitted by the learned counsel for the petitioners that they are innocent and have committed no offence and have been falsely implicated in the aforesaid case due to personal enmity. It has further been submitted by the learned counsel for the petitioners that the petitioners have no criminal antecedent as is evident from paragraph 3 of this petition. Learned counsel for the petitioner further contends that the petitioner no.12 has lodged a Complaint Case No.1802 of 2015 against the informant prior to the present case and some of the petitioners are witnesses in the aforesaid complaint case. Furthermore, the petitioners submit that in order to pressurize them, this case has been lodged against these petitioners.

I have heard learned A.P.P. for the State, who submits that the petitioners are named in the First Information Report.

Be that as it may, let the petitioners, above named, in the event of their arrest or surrender before the Court below, within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand only) each with two sureties of the like

amount each to the satisfaction of the learned Sub Judge VI-cum-A.C.J.M., Purnea in connection with Amour P.S. Case No.196 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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