

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50818 of 2015

Arising Out of PS.Case No. -62 Year- 2015 Thana -CHENARI District- SASARAM (ROHTAS)

- =====
1. Mukha Bind son of Late Prit Bind
 2. Kalawati Devi wife of Mukha Bind Both residents of Village- Semari, Police Station- Chenari, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Adv.

For the Opposite Party/s : Mr. Madan Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 22-01-2016 Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in Chenari P.S. Case No. 62/2015, registered for the offences punishable under Sections 363, 366A/34 of the Indian Penal Code.

Petitioner nos. 1 and 2 are the parents of the boy who is said to have kidnapped the informant's daughter for the purpose of marriage.

Learned counsel for the petitioners submits that the allegation is that when the informant's daughter went to the school to take her practical examination, the son of the present petitioners, namely, one Lala Bind kidnapped her in collusion with



one other person and took her away to the Kudra Railway Station from where she was taken to Gujarat and kept there for about four months. It is further submitted that the victim girl subsequently returned and in her statement made before the Magistrate under Section 164 of the Cr.P.C. she has stated that Lala Bind had kidnapped her along with one Sanjay and taken her away to Gujarat and thereafter she was taken to one place Nayakagaon, Sasaram i.e. relatives home where she was kept for about 20-25 days and subsequently on her protest she was brought back and left at Chenari Police Station.

Learned counsel for the petitioners further submits that save and except the allegation that these petitioners had accompanied with Lala Bind, there is no other specific material arrayed in the case-diary.

Learned counsel for the informant, however, submits that these petitioners have paid a vital role to play the kidnapping and have also participated in the occurrence.

Learned counsel for the State, after perusal of the case-diary, submits that it has come on record that these petitioners were also equal party to the alleged act of kidnapping, but there is no specific allegation that these two petitioners were in fact present at the time of kidnapping.

Considering the above mentioned facts and circumstances and statement of the victim girl under Section 164 of the Cr.P.C. and that these petitioners have no criminal antecedent, the petitioners, in the event of their 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, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Ranjeet Kumar, Judicial Magistrate 1st Class-cum-Additional Munsif VII, Rohtas at Sasaram in connection with Chenari P.S. Case No. 62/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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