

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36229 of 2016

Arising Out of PS.Case No. -301 Year- 2016 Thana -ARARIA District- ARRARIA

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1. Narayan Singh, S/O Late Prasadi Singh
2. Chhedi Singh, S/O Bajrangi Singh
Both Resident of Village- Chatar Noiyari, P.S. & District- Araria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Anil Prasad Singh, Advocate

For the Opposite Party : Mr. Yogendra Kumar (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 15-11-2016 Heard learned counsel for the petitioners and learned

counsel for the informant as well as learned counsel appearing on

behalf of the State.

The petitioners are in custody since 29.05.2016 in
connection with Araria P.S. Case No.301 of 2016 registered for
the offences punishable under Sections 147, 148, 149, 341, 342,
354(B) and 363 of the Indian Penal Code.

Learned counsel for the petitioners submits that
though charge-sheet was filed under bailable sections, the
petitioners have now been taken into custody for allegedly having
committed offence under Section 366(A) of the Indian Penal
Code. It is further submitted that the allegation of kidnapping of
daughter is wholly frivolous as the informant does not have seven

daughters. This fact has come during the course of the investigation and in order to ascertain its veracity the case diary had been called for on an earlier date.

Counsel appearing on behalf of the State after perusal of the case diary submits that though the prosecution side has supported the story, the investigation and statements of independent witnesses which revealed that actually informant had six daughters and one son. It is further stated that save and except the statement made by the informant and his family members, there are no other independent witnesses to support his case.

Having heard learned counsel for the petitioners and learned counsel for the informant as also the submissions advanced by learned counsel for the State and taking into consideration that the petitioners have been in custody for more than five months, let the petitioners above named, 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 Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 301 of 2016.

(Anjana Mishra, J.)

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