

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30221 of 2016

Arising Out of PS.Case No. -158 Year- 2014 Thana -ALAU LI District- KHAGARIA

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1. Neeraj Rajak Son of Shri Krishna Rajak
2. Ashok Yadav Son of Late Shambhu Yadav Both are residents of Village-
Lariyona, Police Station Nav-Kothi, District- Begusarai.... Petitioner/s
Versus

1. The State of Bihar Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan
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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 09-09-2016

Heard both sides.

The petitioners apprehend their arrest in Alauli P.S.
case No. 158 of 2014 under Section 366A, 367, 376/34 of the
Indian Penal Code.

The informant named the petitioner No.1 and other
accused persons and alleged that they all kidnapped his minor
daughter.

It is submitted that the victim made her statement
under Section 164 of the Cr. P. C. She disclosed that Usha Devi
asked her to go along with Sunil Kumar. She took Rs. one lac
from her house out of which Rs. 50,000/- was handed over to
Usha Devi and on the order of petitioners and others she went
along with Sunil Kumar. It is submitted that petitioner No.2 is not
named in the FIR. Even petitioner No.1 is alleged to have asked

the victim to go along with Sunil Kumar but from perusal of the statement of victim it appears that the victim had love affairs with Sunil Kumar and that is why she voluntarily went along with Sunil Kumar. She did not raise any hue and cry while accompanying Sunil Kumar to Chandigarh. Similarly situated accused Ravindra Rai and others and Usha Devi have already been granted anticipatory bail.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned 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) with two sureties of the like amount each to the satisfaction of Sri Brajesh Kumar, learned Judicial Magistrate, 1st class, Khagaria in Alauli P.S. Case No. 158 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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