

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25991 of 2016

Arising Out of PS.Case No. -104 Year- 2016 Thana -RAJAUN District- BANKA

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1. Kishun Sah son of Late Fudin Sah
2. Raju Sah son of Kishun Sah
3. Bhagwan Sah Son of Late Puran Sah All are residents of village -
Mahesh Litti, Police Station - Sajour, District - Bhagalpur.
4. Sanjay Sah
5. Ashok Sah Both sons of Chandar Sah both residents of village - Nath
Nagar, Police Station - Nath Nagar, District - Bhagalpur... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 20-08-2016 The learned counsel for the petitioners submits that

petitioner No.1. Kishun Sah and petitioner No.5. Ashok Sah have

already been arrested. Accordingly, their prayer for anticipatory

bail is dismissed as has become infructuous.

Heard both sides.

The petitioners No. 2. Raju Sah, 3. Bhagwan Sah and

4. Sanjay Sah apprehend their arrest in Rajaun P.S. case No. 104

of 2016 under Section 364 and other Sections of the Indian Penal

Code.

The informant alleged that the marriage of his son,

Chandan Kumar, was settled with daughter of petitioner No.1,

Kishun Sah but when the informant reached with Barat the

petitioners assaulted the informant and others and kept his son

confined to solemnize marriage with Neha Kumari, 2nd daughter of petitioner No.1. It is alleged that Chandan Kumar is still traceless.

Sri Rajib Ranjan Jha, the learned counsel for the petitioners, submits that immediately after the marriage the daughter of petitioner No.1 filed complaint case No. 201 of 2016 on 01.02.2016 that her husband after marriage left her in a lonely place and fled away. It is further submitted that petitioners never confined the son of the informant and he himself fled away to somewhere else that is why the case has been filed after one and half months of the occurrence.

On the other hand Sri S. C. Mishra, the learned counsel for the informant, and the learned Additional Public Prosecutor opposed the prayer for anticipatory bail.

It appears that there is allegation that the petitioners firstly confined the son of informant for marriage with Neha Kumari but after marriage the son of informant is traceless.

Considering the fact that son of informant is still traceless, I am not inclined to enlarge petitioners Nos. 2 to 4 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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