

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37610 of 2016

Arising Out of PS.Case No. -49 Year- 2014 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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1. Mohindra Yadav @ Mahendra Yadav, Son of Ram Chandra Yadav.
2. Yagi Yadav, son of Ram Chandra Yadav Both are resident of Vilage-
Katwasa, P.S.- Bahera, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajendra Yadav, son of Late Domi Yadav, resident of Vilage- Katwasa,
P.S.- Bahera, District- Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav

For the Opposite Party/s : Mr. Tapeshwar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-09-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a

complaint case filed with accusation under sections 363,365 and

364A/34 of the Indian Penal Code.

The prosecution case is that the complainant's

minor daughter was abducted by the accused persons when

extortion demand of rupees fifty thousand was made.

It is submitted by the learned counsel for the petitioners

that the complaint case does not depict the date of occurrence,

however, the complaint was filed on 21.3.2014. The mother of the

petitioner filed Bahera P.S. Case No. 117 of 2014 making

accusation under sections 147,148,341,323,324,307,436,379 and 504 IPC and sections 4 and 5 of the Prevention of Witch (daain) Practices Act, 1999 against the complainant and others though subsequently on 10.4.2014 for the occurrence of 17.3.2014. It is further submitted that the victim girl returned same day.

Considering the fact that the complainant's daughter was regularly attending her school and complainant retracted from the initial version and filed compromise petition coupled with the fact that co accused Ajay yadav has been granted bail vide Cr. Misc. No. 15972 of 2016 and Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent, it is a case for consideration of the prayer for bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Complaint Case No. 49 of 2014 pending in the court of learned ACJM, Benipur (Darbhanga).

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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