

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24940 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -DHANSOI District- BUXAR

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1. Sunaina Devi Wife of Rajeshwar Ojha
 2. Bali Ram Ojha Son of Rajeshwar Ojha Both Resident of Village- Amarapur, PS- Dhansoi, District Buxar.
 3. Manoj Tiwari@Manoj Tiwari chanchal, Resident of Village- Karath, P.S- Tarari, District Bhojpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ravi Shanker Pankaj, Advocate.
For the Opposite Party : Mr. Shailendra Kr.-2(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-08-2016 Heard both sides.

The petitioners apprehend their arrest in Dhansoi P.S. Case No. 55 of 2016 registered for the offences punishable under Sections 363 and 366A of the Indian Penal Code.

The informant alleged that Vishal Ojha has kidnapped his minor daughter and the petitioners are alleged to have helped Vishal Ojha in kidnapping the daughter of the informant.

Learned counsel for the petitioners submits that the informant is not an eye witness of the occurrence. There is no material against the petitioners to show his involvement. The victim made her statement under Section 164 Cr.P.C., on 15.07.2016 wherein she disclosed that she herself left her house in the night and went along with Vishal Ojha. She lived in the house at Dinara with Vishal Ojha.

Later on, she solemnized marriage with Vishal Ojha and presently she is living with Vishal Ojha in West Bengal. The victim did not name the petitioners.

Sri Sunil Kumar, learned counsel for the informant as well learned APP, however, opposed the prayer for anticipatory bail of the petitioners and submitted that the victim is a minor girl and the petitioners have also played vital role.

The informant himself suspected the hands of the petitioners in kidnapping his daughter but the victim herself disclosed that she voluntarily left her house and went along with Vishal Ojha. The victim did not at all name the petitioners anywhere to show the involvement in the kidnapping.

Considering the facts aforesaid, the petitioners above named, 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 the learned Judicial Magistrate 1st Class, Court No. 3, Buxar in Dhansoi P.S. Case No. 55 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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