

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18184 of 2017

Arising Out of PS.Case No. -221 Year- 2014 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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1. Govind Jha @ Govind Kumar Jha son of late Suresh Jha
2. English Devi wife of Ganga Jha @ Ganga Prasad Jha
3. Ganga Jha @ Ganga Prasad Jha Son of Yaduvir Jha All residents of
village - Pohaddi, P.S. - Bahera, District - Darbhanga.

.... Petitioners

Versus

1. The State of Bihar
2. Lalan Jha, son of late Ramanand Jha, resident of village - Pohaddi, P.S. -
Bahera, District - Darbhanga.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Md. Anis Akhtar, Advocate.
For the Opposite Parties : Mr. Ram Bachan Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-05-2017 Heard both sides.

The petitioners apprehend their arrest in CR-221 of 2014, corresponding to Trial No. 660 of 2016, registered for the offences punishable under Section 364 and other Sections of the Indian Penal Code.

The complainant alleged that while his brother Mohan Jha was returning from his sister's house, the accused persons kidnapped him on a vehicle.

Learned counsel for the petitioners submits that after investigation the complaint case was dismissed under Section 203 of the Code of Criminal Procedure but, the complainant filed



Criminal Revision No. 75 of 2016 and the order dismissing the complaint petition was set aside and the matter was remanded for fresh enquiry. Thereafter, prima facie case was found under Sections 363, 364, 323, 341 and 504 of the Indian Penal Code. It is further submitted that the petitioners are co-sharer of the complainant. Mohan Jha was never kidnapped. The victim was attending his school and even on the date of occurrence, the victim was present in his school vide Annexure-6.

Considering the facts aforesaid and the fact that the petitioners are co-sharer of the complainant and they are on inimical term with the complainant, 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 Sub-Divisional Judicial Magistrate, Benipur, Darbhanga in CR-221 of 2014, corresponding to Trial No. 660 of 2016, 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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