

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43881 of 2017

Arising Out of PS.Case No. -96 Year- 2017 Thana -GAMAHARIA District- MADHEPURA

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1. Aruna Devi, W/o Sri Upendra Sharma.
2. Upendra Sharma Son of Late Dukha Sharma,
3. Ranjeet Kumar Sharma @ Ranjeet Sharma Son of Upendra Sharma, All
are R/o Village- Laxminiya , Post- Rupauli Jiwachhpur, P.S.- Gamharia,
District- Madhepura. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 22-09-2017 Heard both sides.

The petitioners apprehend their arrest in Gamharia
P.S. case No. 96 of 2017 under Section 366, 494/34 of the Indian
Penal Code.

The informant alleged that he was married to Sunita
Devi. His mother-in-law transferred 10 katha of land in the name
of his wife but his wife developed illicit relation with Mithilesh
Kumar @ Babul Raj, who kidnapped his wife with the help of
others.

The learned counsel for the petitioners submits that
petitioners are parents and brother of Mithilesh Kumar @ Babul
Raj. They have got no manner of concern with Mithilesh Kumar
@ Babul Raj. The victim is a married woman and she voluntarily



left her house and went along with Babul Raj.

On the other hand, the learned counsel for the informant as well as the learned A.P.P. vehemently opposed the prayer for anticipatory bail and submitted that petitioners are parents and brother of the main accused and they must knowing about the kidnapping of the victim.

Having considered the facts aforesaid and nature of allegation made against the petitioners and the fact that petitioners are parents and brother of Mithilesh Kumar @ Babul Raj, who is alleged to have fled away with the victim, the petitioners, above named, 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 learned Chief Judicial Magistrate, Madhepura in connection with Gamharia P.S. case No. 96 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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