

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44262 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -KATORIA District- BANKA

- =====
1. Baldeo Yadav, Son of Bangali Yadav, R/o Village- Gonra, P.S. & District- Banka.
 2. Quyum Ansari @ Quayum Mian, Son of Not Known R/o Village- Hardiya, P.S.- District- Lucknow.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Dhananjay Kumar Pandey, Advocate

For the Opposite Party : Mr. Sir Pramod Kumar Pandey (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Katoriya P.S. Case No. 11 of 2017, registered for the offence punishable under Section 367 of the Indian Penal Code.

Allegedly, the informant was taken away by her husband and thereafter her husband and the petitioners sold her at village Haldiya District Lucknow (U.P.), but again the husband and the petitioners came there and brought her back to her naihar.

Submission is of false implication and that no offence under section 367 of the I.P.C. is made out. It was the husband who took away his wife the informant and brought back again.



Only allegation against the petitioners is that they were also with the husband. No overt act has been committed to the informant and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that the petitioners were with the husband of the informant.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Banka, in connection with Katoriya P.S. Case No. 11 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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