

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52534 of 2017

Arising Out of PS.Case No. -175 Year- 2016 Thana -ALOULI District- KHAGARIA

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1. Jhojhai Sada Son of Late Kamalu Sada
 2. Kanchan Devi Daughter of Jhojhai Sada
 3. Rukmini Devi Daughter of Jhojhai Sada
 4. Rina Kumari Daughter of Jhojhai Sada
 5. Prem Lal Sada Son of Jhojhai Sada All residents of Village - Majhawari (Chera Khera), P.S. Allouli, District - Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Sri Ajay Kumar-1 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-11-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Allouli P.S. Case No. 175 of 2016 (G.R. No. 1490 of 2016), registered for the offences punishable under Sections 363 and 366 of the Indian Penal Code.

Allegedly, Sanoj Sada, Sindal Sada and 3-4 boys which were not identified forcibly kidnapped the minor daughter of the informant and took away on motorcycle after keeping the daughter of the informant in middle sit and from behind Sindal Sada was catching her. It is alleged that the petitioners have



assisted them in kidnapping the minor daughter.

Submission is of false implication and that the petitioners have got no concern with the alleged kidnapping. The victim has been recovered and her statement has been recorded under Section 164 Cr.P.C. wherein she has not named anyone rather she has stated that some boys closed her mouth resulting she became senseless and thereafter she gained her sense at Khagaria, they brought her at Delhi where she was kept for two months where she was assaulted by them. The victim has not stated the name of anyone. Sanoj Sada has been allowed regular bail vide Cr. Misc. No. 5641 of 2017 and as, as such, the petitioners deserve sympathetic consideration as they are the father, sisters and brother of Sanoj Sada.

The learned A.P.P. fairly submits that the victim has not stated the name of anyone in her statement recorded under Section 164 of Cr.P.C.

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 Chief Judicial Magistrate, Khagaria, in



connection with Allouli P.S. Case No. 175 of 2016 (G.R. 1490 of 2016), subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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