

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12345 of 2017

Arising Out of PS.Case No. -813 Year- 2016 Thana -SAHARSA District- SAHARSA

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1. Ranjan Yadav @ Ranjan Kumar, Son of Kundan Yadav.
2. Manju Devi, Wife of Kundan Yadav,
Both residents of Refujee Colony, Kahra, Ward No. 6, P.S. & District-
Saharsa. Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar
For the Opposite Party/s : Mr. Sri Shyameshwar Dayal
For the informant : Mr. S. S. Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 28-03-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners apprehend their arrest in connection with Saharsa P.S. Case No. 813 of 2016 registered for the offences punishable under Sections 363, 366A/34, 376 and 379 of the Indian Penal Code.

Allegedly, the daughter of the informant was kidnapped when she was returning from Nagpur to her house. During search it reveals that the daughter of the informant was coming to her house on Rickshaw from Saharsa Station then, in the way, the petitioners and other co-accused kidnapped her. During investigation the victim girl has also been recovered and her statement under Section 164 Cr.PC. was recorded wherein also she has stated the names of the petitioners that the petitioners and other co-accused kidnapped her and co-accused



Rajesh Yadav used to commit rape with her daily forcibly and used to assault her also, at the point of gun he took her signature on paper and thereafter, she came to know that the paper was for the purpose of court marriage.

Submission is of false implication and that the petitioners have got no concern with the alleged kidnapping. The petitioner no. 1 is the brother and petitioner no. 2 is mother of co-accused Rajesh Yadav and the allegation of rape is against Rajesh Yadav not against the petitioners and as such they deserve sympathetic consideration.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the petitioners have also kidnapped the victim girl and the victim girl has alleged that all her cash, ornaments, documents and mobile were snatched by the petitioners and others.

In the facts and circumstances stated above, considering the allegation attributed against the petitioners, I am not inclined to grant privilege of pre-arrest bail to the petitioners, accordingly, their such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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