

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21548 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -SC/ST District- ARRARIA

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1. Bechan Dharkar
2. Shivan Dharkar
3. Dilip Dharkar
4. Lalit Dharkar
5. Chhotu Dharkar All sons of Bhutai Dharkar All residents of Village
Parwaha Chowk, P.S. Forbesganj, District Araria.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Araria S.C./S.T. P.S. Case No. 12 of 2016 for the offences instituted under Sections 366A, 379, 120(B)/34 of the Indian Penal Code.

The allegation against the petitioners is that they along with other co-accused were taken active part in commission of abduction of the cousin of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have been made accused due to mistake of fact. The victim girl in her 164 Cr.P.C. statement had named the petitioners. Subsequently, she filed a petition in the court below vide Annexure-3 to the present application, where she retracted from her earlier statement made under Section 164 of the Cr.P.C. Annexure-4 is an affidavit indicating that the victim has already solemnized her marriage with one Manta Dharkar.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Araria S.C./S.T. P.S. Case No. 12 of 2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Ashish Ranjan, J.M.1st Class, Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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