

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5872 of 2017

Arising Out of PS.Case No. -14 Year- 2016 Thana -RAUTA District- PURNIA

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1. Santosh Choudhary, son of Suren Choudhary,
2. Birendra Choudhary, son of Sagam Lal Choudhary, Both resident of
village- Channi, P.S.- Rauta, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 08-03-2017

Heard.

The petitioners are in custody since 28.09.2016 and 15.11.2016 in connection with Rauta P.S.Case No. 14 of 2016 registered for an offence under Sections 363, 366 (A)/34 of the Indian Penal Code.

The informant lodged the case before the S.H.O., Rauta P. S. alleging therein that on 17.04.2016 at 4.00 P.M. his daughter was abducted by the accused persons and in spite of search, she could not be traced out.

Learned counsel for the petitioners submits that the informant has lodged this case with false and frivolous allegation. He kept his daughter at the place of his relatives from where the police recovered the girl on 29.04.2016 but her statement under Section 164 Cr. P. C. was recorded on 02.05.2016 in the learned



court below after lapse of three days. She has not stated anything against the petitioners. She has levelled allegation of rape against one Rabindra Kumar Choudhary, who is full brother of the petitioners. The said Ravindra Kumar Choudhary had some love affairs with the daughter of the informant and the petitioners being full brothers of the said accused warned the informant to control his daughter.

However, learned A.P.P. opposed the prayer for bail.

Considering the fact that the petitioners are full brothers of the main accused, Ravindra Kumar Choudhary, against whom the informant has alleged commission of rape and also the fact that the victim was recovered from the house of the informant itself, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand)each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, II, Purnea in connection with Rوتا P.S.Case No. 14 of 2016.

(Sanjay Kumar, J)

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