

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45978 of 2017

Arising Out of P.S.Case No. -335 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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1. Deep Narayan Sharma, Son of Late Chhutamhru Sharma
2. Soni Kumari alias Polo D/o Deep Narayan Sharma
Both residents of Village - Madanpur, Ward No. 14, P.S.- Madhepura, O.P.
- Bharrahi, District - Madhepura.

.... Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 03-10-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Madhepura (Bharrahi) P.S. Case No. 335 of 2017
registered under Section 366/34 of the Indian Penal Code.

The informant has alleged in the FIR that his
daughter disappeared from her house along with her two minor
children on 3.5.2017. He has raised suspicion that the petitioners
might have hand in abducting his daughter as they used to talk



her quite often.

Learned counsel for the petitioners submitted that the petitioners are co-villagers of the informant. As the informant and his family members were acquainted with the family of the petitioners, there is nothing unnatural if the alleged victim used to talk with the petitioners. He contended that apart from hypothetical presumption and wild suspicion, there is no other material to connect the petitioners with the alleged offence. He further contended that the petitioner no.2 happens to be daughter of petitioner no.1 and it cannot be believed that both the father and daughter may be instrumental in abduction of married lady with two children.

Learned counsel for the State, on the other hand, submitted that the case is under investigation and the victims are still traceless.

Be that as it may, considering the submissions made above and the statement made on oath that the petitioners have clean antecedent, in the event of arrest or surrender in the court below within four weeks from today, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the



like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Bharrahi) P.S. Case No. 335 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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