

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46532 of 2017

Arising Out of PS.Case No. -410 Year- 2017 Thana -MOTIHARI MUFAJIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Bachcha Pd. Yadav @ Bachcha Yadav, son of late Rajendra Prasad Yadav,
 2. Babloo Kumar, son of Bachcha Pd. Yadav @ Bachcha Yadav, both resident of village- Mathia Bariyarpur, P.S.- Piprakothi, District- East Champaran. At present Arya Bhatt Public School, Godhwa Chowk, P.S. Muffasil, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate with
Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 07-02-2018

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the Informant.

Petitioners apprehend their arrest in **Muffasil P.S.**

Case No.410 of 2017 instituted for the offence under Section(s)
363, 365 Indian Penal Code pending in the Court of the **Chief**
Judicial Magistrate, East Champaran, Motihari.

Allegation against the petitioners is that ten years
old son of the informant was student of Arya Bhatt Public
School, Godhwa Chowk, Motihari, of which petitioners were
Director and Principal respectively. It is alleged that the
informant went on 27.07.2017 in the hostel to meet his son and



he was informed by the Director and Principal of the school that the son of the informant is not available in the hostel since 25.07.2017 and he had gone to his house. Informant enquired as to how they have allowed him to go to house without any information to him, then this petitioner did not give reply and assured to search out the boy. But even after five days the boy could not be searched.

Case diary has been received.

Counsel for the informant has appeared and submitted he was not informed by the school authorities about missing of his son. He learnt only on 27.07.2017 when he visited the school.

Counsel for the petitioners has pointed out para 16 and 17 of the case diary, wherein, staffs of the school have stated that boy was not found in the school on 25.07.2017 after lunch hours.

In this manner, statement of the office staff also supports that boy was missing since 25.07.2017.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioners for grant of anticipatory bail is **rejected**.



Petitioners may surrender before the Court below
and seek regular bail, which shall be considered and disposed off
in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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