

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35404 of 2018

Arising Out of PS.Case No. -38 Year- 2018 Thana -MASRAKH District- SARAN

- =====
1. Sabita Devi Wife of Tarkeshwar Singh
 2. Babal Kumar @ Aman Kumar Singh Son of Tarkeshwar Singh Both
Resident of Village- Ghoghiya, Police Station- Masrakh, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 21-08-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody in connection with
Masrakh P.S. Case No.38 of 2018, a case under Section
363/366A/34 of the Indian Penal Code, pending in the Court of
learned Additional Chief Judicial Magistrate-VI, Saran.

The victim girl, aged about 14 years, has stated in her
statement under Section 164 Cr.P.C. that she was kidnapped and
kept in a room in a confinement. At that place, the accused were
asking for her bank account and ornaments. The petitioners are
named as kidnappers.

Submission of the learned counsel for the petitioners
is that the offences alleged are not made out. However, the



offences as defined under Section 365 and 368 of the Indian Penal Code are prima facie made out against the petitioners, which are punishable up to seven years of imprisonment. Petitioners are in custody since 08.05.2018.

Considering the nature of allegation against the petitioners, I am not inclined to enlarge the petitioners on bail. Hence, the prayer for bail is refused. The petitioners may renew their prayer for bail after one year of custody if the trial is not concluded in the meantime.

(Birendra Kumar, J)

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