

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53655 of 2018

Arising Out of PS. Case No.-88 Year-2018 Thana- PIPRA District- East Champaran

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1. Pappu Kumar, son of Jailal Pandit @ Jay Lal Pandit.
 2. Jailal Pandit @ Jay Lal Pandit, son of Dhanai Pandit.
Both resident of Village- Sariatpur, P.S.- Pipra, District- East Champaran.
 3. Kamlesh Pandit @ Kamlesh Kumar, son of Yogi Pandit, resident of Village- Madhopur Swaroop, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Ramchandra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 11-12-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Pipra P.S. Case No.88 of 2018 registered under Sections 363 and 366A of the Indian Penal Code.

The allegation of the informant Ramjinish Pandit is that in the evening of 20.04.2018, his daughter Rubi Kumari, aged about 16 years, had gone to attend the call of nature but she did not return. While the informant searched his daughter about 12-15 days but no trace of her was found. However, the informant came to know that Pappu Kumar (petitioner no.1),



who is the son of the petitioner no.2 Jailal Pandit alias Jay Lal Pandit, used to talk through mobile of his father (petitioner no.2) with his daughter. Kamlesh Pandit alias Kamlesh Kumar (petitioner no.3) also used to talk on mobile. The informant raised suspicion about the kidnapping of his daughter by the petitioners.

Learned counsel appearing on behalf of the petitioners submits that the petitioner no.2 is the cousin brother, whereas the petitioner no.1 is nephew and petitioner no.3 is the cousin son-in-law of the informant and they have falsely been implicated in this case on mere suspicion. In fact, due to love affair with someone, the daughter of the informant had left the house but, on mere suspicion, the informant disclosed the name of the petitioners having hand in the alleged crime. Further submission is that while the occurrence is of 20.04.2018 but the F.I.R. has been lodged on 10.05.2018, after 20 days of the alleged occurrence. Moreover, the informant has filed a petition in the court of the Chief Judicial Magistrate, Sadar, Motihari, on 31.05.2018 to the effect that he has disclosed the name of the petitioners on mere suspicion.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their



arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran, Motihari, in connection with Pipra P.S. Case No.88 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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