

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34916 of 2018

Arising Out of PS. Case No.-217 Year-2017 Thana- BARUN District- Aurangabad

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1. Arvind Thakur S/o Rameshwar Thakur.
 2. Arun Thakur @ Arun Kumar Thakur, S/o Rameshwar Thakur.
 3. Meena Devi W/o Rameshwar Thakur. All Resident of Village-Kaus, P.S.- Barun, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 19-07-2018 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Barun P.S. Case No. 217 of 2017 dated 12.12.2017 instituted for the offences under Sections 366/34 of the Indian Penal Code.

The mother of the informant after having gone out from her house for attending to the call of nature, never returned. This happened on 30.11.2017. After about 21 days of the mother of the informant going missing, the subject F.I.R. was lodged alleging that the mother of the informant was abducted / kidnapped by beguiling her by one Rameshwar Thakur. Petitioners no. 1 and 2 are the sons, whereas petitioner no. 3 is the



wife of aforesaid Rameshwar Thakur. No motive has been assigned in the F.I.R. about the kidnapping / abducting the mother of the informant. During the course of investigation, all that could be collected was certain burnt remains including clothes of a woman. The dead body also has not yet been recovered. The investigation reports do not talk of any person having seen the occurrence. In fact, none of the witnesses have come forward to state anything about the complicity of the petitioners in the said occurrence.

It has further been argued on behalf of the petitioners that assuming but not admitting that Rameshwar Thakur had some illicit relation with the mother of the informant, it does not appear to be probable / plausible that sons and wife of aforesaid Rameshwar Thakur would conspire and facilitate Rameshwar Thakur in kidnapping a woman of a different family. The truth, perhaps, could not be unravelled during the process of investigation.

Regard being had to the fact that the prosecution of the petitioners in the present case is only on the basis of suspicion, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this



order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 217 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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