

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47276 of 2018

Arising Out of PS.Case No. -85 Year- 2017 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Surendra Paswan, S/o Tilak Paswan,
2. Lalan Paswan, S/o Tilak Paswan,
3. Bijendra Paswan @ Birendra Paswan, S/o Laxmi Paswan,

All Resident of Village- Balua Basanta, P.O.- Ghataro, P.S.- Lalganj,
District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-08-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Lalganj P.S.**

Case No. 85 of 2017 instituted for the offence under Sections 323,
324, 354, 379, 364, 504 and 506/34 of the Indian Penal Code
pending in the court of **Chief Judicial Magistrate, Vaishali at**
Hajipur.

It is alleged in the complaint petition which was sent
to Police Station under Section 156(3) Cr. P.C. that on 11.04.2017
accused persons entered into house of the complainant and
assaulted her. The accused persons forced her to withdraw the
complaint case no. 146 of 2017 which was filed by her against the



petitioners. It is further alleged that accused persons snatched her *Mangal Sutra* and Rs.30,000/-. On 13.04.2017 the complainant along with her son Arvind Kumar aged about 13 years was coming to Hajipur. They reached near bridge south from Namdih school, then one Bolero car arrived and petitioner Nos. 1 and 2 came out from the vehicle. They at the point of pistol, kidnapped son of the complainant. The complainant made protest, then she was threatened.

The victim boy has given statement under Section 164 Cr. P.C. wherein he has stated his age as 13 years and the court has also assessed his age to be 13 years. In the statement recorded under Section 164 Cr. P.C. the victim boy has levelled specific allegation against petitioners of kidnapping him by Bolero vehicle and confining for five days in a hut situated at the bank of Ganga river. Thereafter, 6-7 persons took him at Patna and then petitioners took him at Punjab where the accused persons kept him as labourer.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and



make prayer for regular bail.

S.Ali/-

(Sanjay Priya, J)

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