

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17276 of 2019

Arising Out of PS. Case No.-47 Year-2018 Thana- SALAIYA District- Aurangabad

1. Nand Lal Chauhan, Son of Babu Lal Chauhan Resident of Village - Dhamaul P.S. Gurua District - Gaya.
2. Sarwan Kumar, Son of Naresh Chaudhary @ Naresh Chauhan Resident of Village - Maheshpur P.S. Salaiya District Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh

For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 366A/34 of the IPC.

The prosecution case, as per the written report of Lalan Ravidas, submitted to the Station House Officer, Salaiya Police Station, is to the effect that on 31.08.2018, the minor daughter of the informant went traceless and on search being made, it was found that petitioner no.2, Sarwan Kumar has enticed away the daughter of the informant. It is alleged against petitioner no.1, Nand Lal Chauhan, being the brother-in-law of petitioner no.2 that he facilitated the commission of offence.

It is submitted by learned counsel for the petitioners that the victim in her statement recorded under Section 164 Cr. P.C.,



has got her age recorded as 18 years, when the Court has also assessed her age as such. The victim further stated that she went in the company of petitioner no.2 on her own and she has performed marriage with him.

Learned APP submits that specific accusation of kidnapping the daughter of the informant is against petitioner no.2.

Considering the statement of the victim recorded under Section 164 Cr. P.C., wherein she has stated that she went in the company of petitioner no.2 on her own, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Salaiya P.S. Case No. 47 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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