

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34836 of 2019

Arising Out of PS. Case No.-355 Year-2018 Thana- DARIYAPUR District- Saran

1. Arun Rai Son of Late Bhajan Rai, Resident of Village - Idilpur, P.S.- Dariyapur, Dist.- Saran at Chapra.
2. Guddu Kumar Son of Arun Rai, Resident of Village - Idilpur, P.S.- Dariyapur, Dist.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sharma

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-08-2019 Heard both sides.

Petitioners apprehend their arrest in Dariyapur P.S.

Case No.355 of 2018 registered under Sections 363, 365, 366
and 34 of the Indian Penal Code.

The informant (father-in-law of the victim) disclosed
that his son was married with Gudiya Devi. The petitioners used
to come to the house of informant. The informant alleged that
they took away Gudiya Devi and she is still traceless.

Learned counsel for the petitioners submits that the
occurrence took place on 24.10.2018 but the F.I.R. was lodged
on 01.11.2018. There is no satisfactory explanation for such
delay. The mother of the victim filed complaint case on



14.03.2019 that Butan Rai (informant) and others killed her daughter and disposed of her dead body. Nobody has seen the petitioners taking away Gudiya Devi but from perusal of the case-diary, it appears that during course of investigation, besides the informant, the other witnesses have stated that the petitioners kidnapped Gudiya Devi (victim). The victim is still traceless.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

If the petitioners surrender in the court below, the learned court below shall consider the prayer for regular bail of the petitioners taking into consideration that one of the co-accused, namely, Bhagmania Devi has already been granted regular bail.

(Prabhat Kumar Jha, J)

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