

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40540 of 2019

Arising Out of PS. Case No.-167 Year-2017 Thana- DURAULI District- Siwan

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Ramruchi Pandey @ Ramruch Pandey, S/o Mangal Pandey R/o village-
Chakari, P.S.- Darauli, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Nagendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Darauli P.S. Case No. 167 of 2017 registered under Section 365/34 of
the Indian Penal Code.

The accusation is that after death of Pradeep Pandey,
husband of informant Seema Pandey, her minor son was taken by her
sister-in-law (Nanad) and her father-in-law (petitioner) for education.
Thereafter, in spite of passing over three months, she asked to take
back her son but her sister-in-law and father-in-law did not give
satisfactory reply. The informant raised suspicion about removing her
minor son from the house by her sister-in-law and petitioner with
ulterior motive.

Learned counsel for the petitioner submits that, in fact,



petitioner is the father-in-law of the informant, Seema Pandey and her minor son was taken by Mantri @ Malti Devi, sister-in-law of the informant for education but with ulterior motive the present case has been lodged with false allegation. Moreover, the statement of Arun Pandey, minor son of the complainant, was recorded under Section 164 of the Cr.P.C., in which, he stated about taking her by his Bua on instruction of his mother-informant and the informant has not made any complaint against any family members, which would appear from the impugned order dated 30.04.2019, whereunder the pre-arrest bail of the petitioner was refused by the court of Additional Sessions Judge-IV, Siwan.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Siwan, in connection with Darauli P.S. Case No. 167 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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