

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75033 of 2018

Arising Out of PS. Case No.-69 Year-2018 Thana- SHAMBHUGANJ District- Banka

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1. Brahmdeo Yadav and Ors Son of Dhuani Yadav
 2. Parvati Devi Wife of Brahmdeo Yadav
 3. Kalyani Kumari D/o Brahmdeo Yadav
 4. Savita Devi Wife of Kapildeo Yadav
 5. Bhawani Devi @ Sima Devi W/o Ajay yadav All R/o Village Bharatsheela,P.S. Shambhuganj,Distt.-Banka
 6. Ajay Yadav Son of Munilal Mahto R/o Village-Sri Rampur,P.S. Akbarnagar,Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Adv.

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL ORDER

3 20-02-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Shambhuganj P.S. Case No. 69 of 2018 for the offence punishable under Sections 366(A)/34 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have not committed any offence. In fact, the victim in her statement recorded under Section 164 Cr.P.C. herself stated that co-accused Azad Kumar and Golu Kumar had kidnapped her and no specific overt act is attributed against these



petitioners, which is evident from Annexure-2. Moreover, another F.I.R. being Shambhuganj P.S. Case No. 12 of 2018 has been lodged by the informant against these petitioners and others in which also the victim in her statement has not disclosed anything about the involvement of these petitioners, which is evident from Annexure-3 and 3A. Therefore, no case under Section 366(A) of the Indian Penal Code is made out against these petitioners. Hence, the petitioners may be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the, above named, petitioners in the event of surrender within a period of four weeks be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Banka in connection with Shambhuganj P.S. Case No. 69 of 2018 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Brajesh/-

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(Arvind Srivastava, J)

