

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61371 of 2019

Arising Out of PS. Case No.-197 Year-2019 Thana- CHIRAIYA District- East Champaran

1. Akshay Kumar, Son of Kapildeo Rai Resident of Village- Aamgachhi, P.S.- Chiraiya, District- East Champaran.
2. Kapildeo Rai Son of Bachchu Rai Resident of Village- Aamgachhi, P.S.- Chiraiya, District- East Champaran.
3. Bachchu Rai Son of Late Deo Narayan Rai Resident of Village- Aamgachhi, P.S.- Chiraiya, District- East Champaran.
4. Usha Devi Wife of Kapildeo Rai Resident of Village- Aamgachhi, P.S.- Chiraiya, District- East Champaran.
5. Dhora Rai @ Dhodha Rai Son of Bhabhikhan Rai Resident of Village- Aamgachhi, P.S.- Chiraiya, District- East Champaran.
6. Rinku Devi Wife of Bachchu Rai Resident of Village- Aamgachhi, P.S.- Chiraiya, District- East Champaran.
7. Chhabila Rai Son of Bachchu Rai Resident of Village- Aamgachhi, P.S.- Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 01-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chiraiya P.S. Case no. 197 of 2019, registered under Sections 363 and 366(A)/34 of the Indian Penal Code.

The accusation is of kidnapping of minor daughter of the informant by the petitioners for the purpose of sale.

Learned counsel for the petitioners submits that it



would appear from the F.I.R. that informant is not eye-witness of the occurrence and mere on suspicion, the petitioners have falsely been implicated in this case in respect to kidnapping of minor daughter of the informant. Moreover, the statement of daughter of informant was recorded under Section 164 of the Cr.P.C. on 09.05.2019 in which she has stated that due to fixing of her marriage to a boy, who was not liked by her due to that reasons, she left the house and went at the house of her maternal uncle and later on, she was arrested by the Police, when she was coming to her house from her maternal uncle's house.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four 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 A.C.J.M. Sikrahanat at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 197 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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