

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73235 of 2018

Arising Out of PS. Case No.-83 Year-2018 Thana- ANDHRATHARHI District- Madhubani

Shiv Ram Sadai Son of Sukal Sadai Resident of Village-Maini P.S. Andhra
Thardhi, Distt.-Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Sri Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-01-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since
28.07.2018 in connection with Andhratharhi P.S. Case No.83 of
2018 registered for the offences punishable under Sections 363,
366(A), 120(B), 34 of the Indian Penal Code.

Prosecution case as per the written report of Nurul
Hoda to S.H.O.Andhratharahi is to the effect that on 23.07.2018
when he woke up in the morning, he did not find the victim and
started searching for her and after some time, he came to know
that petitioner and co-accused Bindeshwar Sadai have
kidnapped her with intent to marry and have kept her at the
house of the co-accused Sobhit Sadai, thereafter father of
informant went to the house of Sobhit Sadai where victim was



sitting and co-accused Ram Sobhit Sadai started abusing the informant.

It is submitted by learned counsel for the petitioner that nobody witnessed the act of kidnapping and the informant is not an eye witness to the occurrence and it appears from the statement under Section 164 Cr.P.C, made by victim, the petitioner has not been named.

Considering the nature of accusation the petitioner being not named by the victim statement recorded under Section 164 Cr.P.C. and the period of custody, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IIIrd, Jhanyharpur, Madhubani in connection with Andhratharhi P.S. Case No.83 of 2018.

(Dinesh Kumar Singh, J)

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