

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80143 of 2019

Arising Out of PS. Case No.-280 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

1. Madan Rai, Son of Shisupal Rai @ Shivpal Ray Resident of Village and P.O.-Sutihar, P.S.-Derni, District-Saran at Chapra.
2. Sharda Devi Wife of Madan Rai Resident of Village and P.O.-Sutihar, P.S.-Derni, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chapra Muffasil P.S. Case no. 280 of 2019, registered under Section 366 of the Indian Penal Code.

The accusation is that daughter of informant Mina Devi, aged about 13 years was returning from market after purchasing books with her cousin Deepak Kumar Mishra, in the way, near Shaktinagar temple, 8 persons named in the complaint petition/F.I.R., including the petitioners, forcibly took her in the vehicle in spite of protest made by Deepak Kumar Mishra, then Deepak Kumar Mishra came at house and



informed the incident to the complainant/informant Mina Devi. Thereafter, she informed to her husband, who was outside for his livelihood. When her husband reached at house, thereafter, informant along with her husband reached at the house of Ajit Kumar, son of petitioners, the complainant made query about her daughter, but petitioners and others did not give any reply, rather, they threatened them to move from there. Earlier, the attempt for kidnapping of her daughter had also been made.

Learned counsel for the petitioners submits that occurrence took place on 10.06.2019 at about 10.00 A.M., but the informant Meena Devi lodged the Complaint Case No. 1866 of 2019 on 12.06.2019 in the Court of Chief Judicial Magistrate, Chapra at Saran, which was sent under Section 156(3) of the Cr.P.C. for investigation, which is the basis of the present case. Further submission is that, in fact, Ajit Kumar, son of petitioner used to reside at Chapra while petitioners used to reside in their native village-Sutihar, P.S. Derni, District-Saran at Chapra. Due to love affair in between Ajit Kumar, son of the petitioners and daughter of the informant both proceeded together, but petitioners being the parents of Ajit Kumar have falsely been implicated in this case. Further submission is that it would appear from the complaint petition that when



informant visited the house of petitioners at that time both petitioners and their other family members were found there. The petitioners have no criminal antecedent.

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 Chief Judicial Magistrate, Chapra in connection with Chapra Muffasil P.S. Case No. 280 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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