

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75191 of 2018

Arising Out of PS. Case No.-131 Year-2018 Thana- JOKIHAT District- Araria

1. Kalimuddin, Son of Isahq,
2. Kausari @ Kausahi, Wife of Kalimuddin,
3. Kalila, Daughter of Late Isahq,
4. Bijali, Daughter of Late Isahq, All are resident of Village- Kadhara, P.S.- Jokihat, District- Araria.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Vinod Shankar Modi

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 13-03-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jokihat P.S. Case no. 131 of 2018, registered under Section 363 and 366(A)/34 of the Indian Penal Code.

The accusation is that in the evening of 02.05.2018 five persons named in the F.I.R., including the petitioners, enticed away Gufrana, daughter of the informant for plucking the mango, but his daughter did not return. Thereafter, he started search of his daughter and came to know that Budhani and Kalila were seen with his daughter by the villagers moving south of the village. Thereafter, informant



made query from the parents of Budhani and Kalila, but they did not give any satisfactory reply and they started abusing him and asked to deposit Rs. 50,000/- then they will search his daughter.

Learned counsel for the petitioners submits that petitioner No.1 Kalimuddin is brother of the informant and father of Budhani and others are family members of the petitioner No.1 and they have falsely been implicated in this case. Further submission is that it would appear paragraph No. 31 of the case diary that in the night of 03/04-05-2018, Gufrana, daughter of the informant, was arrested by the Police at Rajendra Nagar Railway station and sent to Remand Home, Nishant, Gaighat, where her statement was recorded in which she narrated that she was taken by Budhani saying that she is doing the work of maid in houses and asked her to accompany and she will educate her in school. Later on, her statement under Section 164 of Cr.P.C. was recorded on 06.06.2018 in which she has only stated that she was taken by petitioner No.3 Kalila and Budhani due to land dispute. 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, Araria in connection with Jokihat P.S. Case No. 131 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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