

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13834 of 2020

Arising Out of PS. Case No.-243 Year-2019 Thana- MANIGACHI District- Darbhanga

1. RAJENDRA YADAV S/o Darbari Yadav R/o village- Chakka, P.S.- Manigachhi, Bajipur O.P., District- Darbhanga
2. Sonawati Devi @ Sonewati Devi W/o Rajendra Yadav R/o village- Chakka, P.S.- Manigachhi, Bajipur O.P., District- Darbhanga
3. Chandra Kishore Yadav S/o Rajendra Yadav R/o village- Chakka, P.S.- Manigachhi, Bajipur O.P., District- Darbhanga
4. Shambhu Yadav S/o Pulkit Yadav R/o village- Chakka, P.S.- Manigachhi, Bajipur O.P., District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 363, 366(A)/34 of the Indian Penal Code.

Prosecution case, in short, is that on 12.11.2019 at 5



p.m. the informant's minor daughter Hushan Ara @ Munni Khatoon had gone to nearby village Chakka for some work but did not return till late night. Co-villager Md. Gulab and Abdul Raut told to the informant that the accused persons including the petitioners moving on a Bolero with Hushan Ara @ Munni Khatoon. They tried to stop but the car did not stop. The informant claimed that the accused persons with common intention have kidnapped her daughter with intention either to sale or after committing gang rape may murder her.

It has been submitted on behalf of the petitioner that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The victim has eloped with co-accused, namely, Raj Kumar Yadav. The petitioners, being the relatives of Raj Kumar Yadav, have been made accused in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of



Additional Chief Judicial Magistrate 5th, Darbhanga in connection with Manigachhi (Bajidpur O.P.) P.S. case No.243 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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