

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28178 of 2020

Arising Out of PS. Case No.-669 Year-2019 Thana- BAGHA District- West Champaran

1. MANJAY KUMAR S/o Ramnath Prasad, Resident of Village-Kali Asthan Bankatva, Bagaha Bazar, P.S.-Bagaha, District-West Champaran.
2. Sanjay Kumar S/o Ramnath Prasad, Resident of Village-Kali Asthan Bankatva, Bagaha Bazar, P.S.-Bagaha, District-West Champaran.
3. Sandeep Kumar S/o Ramnath Prasad, Resident of Village-Kali Asthan Bankatva, Bagaha Bazar, P.S.-Bagaha, District-West Champaran.
4. Arti Kumari D/o Ramnath Prasad, Resident of Village-Kali Asthan Bankatva, Bagaha Bazar, P.S.-Bagaha, District-West Champaran.
5. Rani Kumari D/o Ramnath Prasad, Resident of Village-Kali Asthan Bankatva, Bagaha Bazar, P.S.-Bagaha, District-West Champaran.
6. Surajamati Devi W/o Ramnath Prasad, Resident of Village-Kali Asthan Bankatva, Bagaha Bazar, P.S.-Bagaha, District-West Champaran.
7. Ramnath Prasad S/o Late Nandu Prasad, Resident of Village-Kali Asthan Bankatva, Bagaha Bazar, P.S.-Bagaha, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mitali, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-12-2020 Heard both sides through Video Conferencing.

Petitioners apprehend their arrest in Bagaha P.S. Case
No.669 of 2019 registered under Sections 366, 323, 379, 504
and 34 of the Indian Penal Code.

The informant filed a complaint case making
allegation that the petitioners kidnapped his wife with
ornaments.

Learned counsel for the petitioners submits that the



wife of the informant made her statement under Section 164 of the Cr.P.C. and disclosed that her husband brutally assaulted her so she left the house of her husband. Manjay Kumar (petitioner no.1) got her treated in the hospital and she is living with him.

It appears that the victim is a major lady and on being assaulted by her husband, she left the house and started voluntarily living with Manjay Kumar (petitioner no.1). Therefore, on the face of it, it does not appear to be a case of kidnapping.

Having considered the facts aforesaid, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1st, Bagaha, West Champaran in connection with Bagaha P.S. Case No.669 of 2019 arising out of Complaint Case No.977 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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