

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76284 of 2019

Arising Out of PS. Case No.-257 Year-2019 Thana- PAHARPUR District- East Champaran

1. SUBHASH THAKUR S/o Late Mahendra Thakur R/o Village- Sathan Kachahari Tola, P.S.- Paharpur, District- East Champaran.
2. Kalawati Kunwar W/o Late Mahendra Thakur R/o Village- Sathan Kachahari Tola, P.S.- Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 24-09-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Paharpur P.S. Case no. 257 of 2019, registered under Sections 363, 366(A)/34 of the Indian Penal Code.

The accusation is that on 27.07.2019, in the morning, daughter of informant aged about 15 years moved from the house to attend school, but she was kidnapped by Arbind Kumar, Subhash Thakur (Petitioner No. 1), Dipu Thakur all sons of Late Mahendra Thakur and their mother Kalawati Kunwar (Petitioner No.2) and they have kept her daughter at lonely place for the purpose of performing



marriage of her daughter with Arvind Kumar, while she searched her daughter, but no trace was found.

Learned counsel for the petitioners submits that both the petitioners are own brother and mother of co-accused Arvind Kumar. Further submission is that, in fact, Arvind Kumar was in touch of daughter of informant Usha Devi and in that course, he fell in love with daughter of informant and both left village according to their sweet will, but with ulterior motive and to put undue pressure, both the petitioners, who are brother and mother of co-accused Arvind Kumar have falsely been implicated in this case. Further submission is that in paragraph Nos. 28 and 29 of the case diary, witnesses have also stated about love affairs of Arvind Kumar with daughter of informant.

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 learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Paharpur P.S. Case No. 257 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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